

**TOWNSHIP OF WEST LINCOLN
ADMINISTRATION/FINANCE/FIRE COMMITTEE
AGENDA**

MEETING NO. SIX

Monday, June 21, 2021, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

**** NOTE TO MEMBERS OF THE PUBLIC:** Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Council meetings until further notice.**

Submission of Public Comments/Virtual Attendance: The public may submit comments for matters that are on the agenda or request to attend the virtual meeting as "Attendees" by emailing jscime@westlincoln.ca by June 21, 2021 before 4:30 pm. Email comments submitted will be considered as public information and read into public record. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.

Pages

1. CHAIR - Councillor Jason Trombetta

Prior to commencing with the Administration/Finance/Fire Committee meeting agenda, Chair Trombetta will note the following:

1. Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee and Council meetings until further notice.
2. The public may submit comments for matters that are on the agenda to jscime@westlincoln.ca before 4:30 pm. on the day of the meeting. Comments submitted will be considered as public information and read into public record.
3. The meeting will be recorded and available on the Township's website within 48 hours of the meeting.

2. CHANGE IN ORDER OF ITEMS ON AGENDA

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

4. APPOINTMENTS

4.1. ITEM A44-21

Amanda Black, McNally House Hospice
Re: McNally House Expansion

POWERPOINT PRESENTATION

RECOMMENDATION:

- 1. That, the correspondence received from Amanda Black (McNally House Hospice) regarding the McNally House Expansion dated June 21, 2021, be received for information.

5. REQUEST TO ADDRESS ITEMS ON THE AGENDA

NOTE: Procedural By-law Section 10.13(5) – General Rules

One (1) hour in total shall be allocated for this section of the agenda and each individual person shall only be provided with **five (5) minutes** to address their issue (some exceptions apply). A response may not be provided and the matter may be referred to staff.

The Chair is to inquire if there were any members of the public who were in attendance virtually on the ZOOM meeting call that wished to address a specific item on tonight's agenda as permitted by Section 10.13(5) of the Procedural By-law. If so, please raise your hand in the ZOOM options or unmute yourself and advise that you wish to speak.

The Chair will ask the Clerk if she had received any emails or correspondence from members of the public prior to 4:30 p.m. today, that wished to provide comments to any items on the agenda as permitted by Section 10.13(5) of the Procedural By-law.

6. CONSENT AGENDA ITEMS

NOTE: All items listed below are considered to be routine and non-controversial and can be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

6.1. ITEM A45-21

CONSENT AGENDA ITEMS

RECOMMENDATION:

That the Administration/Finance/Fire Committee hereby approves the following Consent Agenda Items:

- 1. Item 1 be and is hereby received for information; and,
- 2. Item 2 be and is hereby received and the recommendations contained therein be adopted

with the exception of Items #(s)_____

- 1. Information Report WLFD-09-2021 - Monthly Update May 2021
- 2. Recommendation Report T-17-2021 - Development Charges
2020 Treasurer's Annual Statement

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7. COMMUNICATIONS

There are no communications.

8. STAFF REPORTS

8.1. ITEM A46-21

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Treasurer/Director of Finance (Donna DeFilippis)

Re: Recommendation Report T-16-2021 - Financial Update as of May 31, 2021

RECOMMENDATION:

1. That, Report T-16-2021, regarding the "Financial Update as of May 31st, 2021", be received for information; and,
2. That, Budget Amendment 2021-06 regarding the implementation of a Farmer's Market at a cost of \$33,200, funded through the RED grant at \$16,600 and a transfer from the Contingency Reserve of \$16,600 be approved; and,
3. That, Budget Amendment 2021-07 regarding the Rehabilitation of the Public Works Building, at a cost of \$100,000, funded through the ICIP COVID-19 grant be approved.

8.2. ITEM A47-21

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Clerk (Joanne Scime)

Re: Recommendation Report C-04-2021 - Amendments to Refreshment Cart Licensing By-law 2010-20 – Delegate Authority to the Clerk to Approve Annual Licenses

RECOMMENDATION:

1. That, Report RFD-C-04-2021, dated June 21, 2021, regarding "Amendments to Refreshment Cart Licensing By-law 2010-20 – Delegate Authority to the Clerk to Approve Annual Licences", be received; and,
2. That, Section (2)(d) 5. (License and Application and Fee) of By-law 2010-20 be amended by deleting this section and replacing it with the following proposed new/revised Section (2)(d) 5:

5. Council shall hereby delegate authority to the Clerk and/or designate to approve every application for an annual or daily/temporary license for a refreshment vehicle, refreshment cart or refreshment cycle provided all other regulations/requirements of this by-law are met.

3. That, Section (3)(a) be amended by removing the following words at the beginning of the clause:

"At the pleasure of Council,"

4. That, Section (3)(b) by adding "daily" before the word temporary to put it in line with the proposed new wording of (2)(d) 5.

5. That, any reference to the old "Zoning By-law 79-14" be replaced with the by-law number of the new "Comprehensive Zoning By-law 2017-70".

6. That, the Mayor and Clerk be and are hereby authorized to sign a by-

law to implement the above noted amendments.

8.3. ITEM A48-21

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Fire Chief (Dennis Fisher)

Re: Recommendation Report WLFD-10-2021 - Open-Air Fires By-law

RECOMMENDATION:

1. That, report WLFD-10-2021 regarding "Open-Air Fires By-law" dated June 21, 2021, be received for information, and,
2. That Council adopt a Bylaw to regulate the setting of Open-Air Fires in the Township of West Lincoln; and,
3. That, the Mayor and Clerk be and are hereby authorized to sign an agreement with Fractal SAAS Inc. (FirePermits.Online) to provide online fire permit services; the cost of which is to be offset by the collection of fire permit fees and any penalty revenues that are received.

9. OTHER BUSINESS

9.1. ITEM A49-21

CAO (Bev Hendry)

Re: Employee Professional Accomplishments

1. Jessica Dyson, Deputy Clerk - Completion of Municipal Administration Program (MAP) Unit 2 - Municipal Administrative Structure

9.2. ITEM A50-21

72

Councillor Shelley Bradaric

Re: Land Acknowledgement Statement - Council & Standing

Committees of Council

FOR DISCUSSION

RECOMMENDATION:

1. That, the memorandum dated June 21, 2021 regarding "Land Acknowledgement Statement for Council and Standing Committee Meetings" be received; and,
2. That, Township Council authorize staff to adopt the practice of using a Land Acknowledgement Statement to be read as a standard greeting at the beginning of all Council and Standing Committee Meetings of Council, as delivered by the Mayor and/or Committee Chair's commencing with the June 28th, 2021 Council Meeting, until the amendment of the Township's Procedural By-Law is made to formally include the acknowledgement statement; and,
3. That, the Land Acknowledgement Statement read as follows:
"On behalf of the Members of Committee/Members of Council and staff, we wish to acknowledge this land on which the

Township of West Lincoln operates. The land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples and is still home to many indigenous people today. We are grateful to have the opportunity to work here today and to follow the Haudenosaunee system of blending laws and values and the Anishinaabe beliefs to strive to live in harmony and balance throughout the Municipality. We acknowledge that we are all treaty people and accept our responsibility to honour all our relations."

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9.3. ITEM A51-21

Councillor Cheryl Ganann

Re: Support for Town of Pelham Resolution - Accessibility Issues for Seniors

FOR DISCUSSION

RECOMMENDATION:

1. That, the resolution from the Town of Pelham passed at their regular meeting of May 17, 2021 which identifies access to essential services, through electronic means only, as an accessibility issue for seniors, be received and supported; and,
2. That, copy of this resolution be sent to Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff, the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario; and,
3. That, the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario, be requested to review, and take action if necessary, whether the changes of digitizing essential services are barring seniors and vulnerable populations from accessing essential services, and to advocate for seniors and vulnerable populations and their rights to access essential services.

9.4. ITEM A52-21

Members of Committee

Re: Verbal Updates from Members of Boards and Committees - If required

9.5. ITEM A53-21

Members of Council

Re: Other Business Items of an Informative Nature

10. NEW BUSINESS

NOTE: Only for items that require immediate attention/direction and must first approve a motion to introduce a new item of business. (Motion Required)

11. CONFIDENTIAL MATTERS

There are no confidential matters.

12. ADJOURNMENT

The Chair to declare the meeting adjourned at the hour of [time]

Request to Speak at a Meeting

If you are interested in appearing in person at a Council or Standing Committee meeting to present information or an opinion on a matter, please fill in the form below.

Please note: Your request must be submitted by 4:30 p.m. 10 days prior to the Committee or Council meeting.

Full Name: *

Amanda Black

Who are you representing? *

☐ Self

☒ Group/Organization

Group or Organization Name: *

McNally House Hospice

Street Address: *

148 Central Ave

Town/City: *

Grimsby

Postal Code: *

L3M 4Z3

How would you like us to contact you? *

☐ Email

☒ Telephone

Phone Number: *

[REDACTED]

Presentation Details

Which meeting would you like to present at? * 

Administration/Fire/Finance Committee

Requested Meeting Date: *

6/21/2021



What is the presentation topic? *

McNally House Expansion

Do you have a presentation (slide deck)? *

☒ Yes ☐ No

Please upload your presentation materials.

Have you presented before on this topic? *

☐ Yes ☒ No

Please provide details on your presentation. Include questions or requests of the Committee or Council. *

A detailed request and outline will be shared in the next week.

Over the last three years, McNally House has been developing a plan to expand our services and widen our care model to better serve West Niagara. Working together with our partners in end-of-life care, this plan would go a long way towards easing the strain on Niagara's hospice care system.

Our vision will see McNally House Hospice expand and transform our service offerings with the inclusion of a new Day Hospice, to provide desperately needed support and care from the time a person is first given a life-limiting diagnosis.

Dying is more than just a medical event. It has an existential impact on the lives not only of the patient but of their family, friends and community. Nothing confronts us more than when we must confront dying.

There can be up to a two-year journey from the time a person receives a diagnosis to when their life ends. It is a very difficult period, both for the person living with the diagnosis and for their family and friends, and there are few supports to help those affected to get through this challenging time.

The current six-bed hospice will be converted to form the heart of McNally House's Day Hospice, providing unique services and programs for patients and families to fill that gap.

Hospices across Ontario have added, or are adding, Day Hospices, and McNally's new program follows these best practices, expanding our services beyond what we can currently provide. The new program will feature counselling and deep conversations, pain management, bereavement support and activities that make life worth living like art, craft, meditation, exercise, cooking and group talks: all in a compassionate and understanding environment.

The new McNally House Day Hospice will facilitate these needs with rooms for one-on-one counseling, a group area for people to share stories, spaces for caregivers to recharge, a space for people to learn to cope, and beautiful gardens to bring calm. This new space will bring relief and support for exhausted families, friends, and caregivers at a time when they need it most and it will help those facing life-ending illness re-engage in many of the activities of life that give living its true meaning and value.

This is the future of palliative care. With Day Hospice services, we can support hundreds more people and their caregivers, compared to the 450 per year we serve today.

As part of this expansion, McNally House will also construct an all-new ten-bed hospice, increasing our residential care capacity by almost 70 per cent. This new facility will incorporate an overnight suite for families and loved ones, a family recreation room, new outdoor spaces and a new memorial garden. New family spaces will provide dignity and comfort for those staying by the side of their loved ones.

Collection of Personal Information

Personal information on this form is collected under the authority of Section 6 of the Township of West Lincoln's Procedural By-Law for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before a Committee or Council.

Any questions about the collection, use and disclosure of personal information should be addressed to the Township Clerk:

- Email: clerk2@westlincoln.ca
- Telephone: 905-957-3346

Thank You

Thank you for your submission. Please be advised that you will be contacted by email or by phone by a member of the Clerk's Department to confirm your appointment, provide further details and/or clarify any issues.

June 16, 2021

Mayor and Members of Council,

West Niagara is growing, and with that growth comes an increasing need for palliative care services. Since 2008, McNally House Hospice has been profoundly honoured to support hundreds of people in West Niagara as they face life-limiting illnesses and die with dignity.

McNally House provides 24-hour specialized palliative care, free of charge, to people with a life-limiting illness and their families. With the support of 160 volunteers, we have provided compassionate care for more than 1,100 people, their families and their loved ones since opening.

Since 2008, the demands on Niagara's palliative care infrastructure have grown, and McNally House is not alone in identifying the need to expand services to ensure all Niagarans, including those in West Niagara, get the compassionate care they need.

In other parts of the Niagara region, Hospice Niagara has noted they cannot serve all the requests – our six-bed facility, located adjacent to West Lincoln Memorial Hospital, has reached capacity. With substantial growth continuing in West Lincoln, Grimsby, and Lincoln, it is critical that McNally House change and grow to meet those needs.

Our Vision – Our Plan

Over the last three years, McNally House has been developing a plan to expand our services and widen our care model to better serve West Niagara. Working together with our partners in end-of-life care, this plan would go a long way towards easing the strain on Niagara's hospice care system.

Our vision will see McNally House Hospice expand and transform our service offerings with the inclusion of a new Day Hospice, to provide desperately needed support and care from the time a person is first given a life-limiting diagnosis.

Dying is more than just a medical event. It has an existential impact on the lives not only of the patient, but of their family, friends and community. Nothing confronts us more than when we must confront dying.

There can be up to a two-year journey from the time a person receives the devastating diagnosis to when their life ends. It is a very difficult period, both for the person living with the diagnosis and for their family and loved-ones, and there are few supports to help those affected to get through this challenging time.

The current six-bed hospice will be converted to form the heart of McNally House's Day Hospice, providing unique services and programs for patients and families to fill that gap. Hospices across Ontario have added, or are adding, Day Hospices, and McNally's new program follows these best practices, expanding our services



beyond what we can currently provide. The new program will feature counselling and deep conversations, pain management, bereavement support and activities that make life worth living like art, craft, meditation, exercise, cooking and group talks: all in a compassionate and understanding environment.

The new McNally House Day Hospice will facilitate these needs with rooms for one-on-one counseling, a group area for people to share stories, spaces for caregivers to recharge, a space for people to learn to cope, and beautiful gardens to bring calm. This new space will bring relief and support for exhausted families, loved-ones, and caregivers at a time when they need it most and it will help those facing life-ending illness re-engage in many of the activities of life that give living its true meaning and value.

This is the future of palliative care. With Day Hospice services, we can support hundreds more people and their caregivers, compared to the 450 per year we serve today.

As part of this expansion, McNally House will also construct an all-new ten-bed hospice, increasing our in residence care capacity by almost 70 per cent. This new facility will incorporate an overnight suite for families and loved ones, a family recreation room, new outdoor spaces and a new memorial garden. New family spaces will provide dignity and comfort for those staying by the side of their loved ones.

The Needs – By the Numbers

The evidence is clear: In Niagara, we have three hospice beds per 100,000 residents. Ontario's Auditor General has recommended more than twice that: ten beds per 100,000 people. Adding the McNally House expansion to Hospice Niagara's planned expansion in South Niagara would bring the region into the range for our growing and aging Niagara.

A Unified Campus of Care

The expanded McNally House Hospice will come together with the rebuilt West Lincoln Memorial Hospital (WLMH) as part of a unified Campus of Care. The Campus project envisions shared gardens, landscaping and trails to physically connect WLMH to McNally House. This campus, which also includes Niagara Region's Deer Park Villa, will create a healthcare centre of excellence within West Niagara – a hub of care that can cover many of the healthcare needs in the community, from the beginning of life through to the end of life. We continue to work with Hamilton Health Sciences on the campus concept, building on the strong working relationship McNally House has always had with WLMH and particularly its palliative care program, we share both our Bereavement and Psycho-spiritual clinicians.

Planning for our expansion began in 2017 with the generous commitment of \$1 million by philanthropist Blair McKeil. Since then, McNally House has completed land transfer agreements with West Lincoln Memorial Hospital and finalized detailed designs with our architectural team. A rezoning application has also been completed and is going through the process.

Hospice Care is Essential to the Health of Our Community

Hospice care can help the overall health of a community, not just in terms of medical health but in terms of the cost of care. Hospice care is delivered at a fraction of the cost of hospital care, and it helps to divert end-of-life care beds away from hospitals.



Regional and municipal contributions to hospice care projects help demonstrate to the Province that communities recognize and support the importance of hospice care services. That's why we're asking you to support us as we move towards this important transformation in how we deliver end-of-life care for the West Niagara community.

We've calculated that municipalities can have a significant positive impact on this project by supporting it at a ratio of less than five dollars per West Niagara resident, based on the 2016 census: to be precise, about \$4.83 per resident over five years, or less than \$1/year. That would amount to approximately \$14,000 annually for a total \$70,000 for the Township of West Lincoln.

We're asking for this support on a one-time basis to help push the project forward, to demonstrate to the Province and to Niagara that our communities recognize the critical importance and unique needs that come with end-of-life care, life-limiting illnesses and dying with dignity.

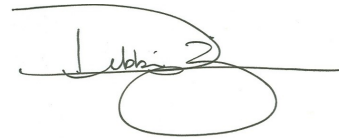
We need your support, and are now turning to our local communities, our local leaders and our local councils, to deliver this care.

Thank you for your consideration and support.

Yours,



Murray Bain
Life in Every Moment
Campaign Co-Chair,
McNally House Hospice



Debbie Zimmerman
Life in Every Moment
Campaign Co-Chair,
McNally House Hospice





Life in *Every Moment*

McNally House Hospice Expansion and Capital Campaign



- Introductions – Campaign Co-Chairs Debbie Zimmerman and Murray Bain, Executive Director Pam Blackwood
- About McNally House Hospice
- West Niagara Hospice Care Challenge
- The Expansion
- Project Status
- The Capital Campaign
- Our Request



About McNally House Hospice

- Community-led initiative to bring a residential hospice to serve west Niagara – opened in 2008
- 24 hour specialized palliative care, free of charge, to people living with a life-limiting illness and their families
- 6 beds – private rooms, nursing and personal support staff
- Supported by 160 volunteers, providing care and companionship (pre-COVID)
- Have cared for over 1,100 people, their families and loved ones since opening



About McNally House Hospice

- Help manage the pain, fear and the anxiety of a diagnosis of a life-limiting illness, and sorrow of bereavement
- Located on the same campus as West Lincoln Memorial Hospital and Deer Park Villa Nursing Home
- Strong Partnerships with Niagara West Palliative Care Team, West Lincoln Memorial Hospital and other specialized end-of-life care providers
- McNally House shares a bereavement and psycho-spiritual clinicians with WLMH

West Niagara Hospice Care Challenge

- Since 2008, the need for palliative care resources in Niagara have grown
- McNally House has reached capacity and with West Lincoln, Grimsby and Lincoln continuing to grow, this problem will only worsen
- **Ontario's Auditor General recommends 10 hospice beds in a community for every 100,000 people; Niagara currently has 3 per 100,000**
- In 2017, McNally House began the planning for expansion through a commitment of \$1M from Blair McKeil



The Expansion – Day Hospice and Four New Beds

- The existing McNally House six-bed hospice will be converted to an **all-new Day Hospice**
 - a transformative approach to how hospice care is delivered
- A **new 10-bed Residential Hospice** will be constructed, increasing our residential care capacity by almost 70%
- Together with the rebuilt West Lincoln Memorial Hospital and Deer Park Villa, the expanded McNally House will form part of a complete **Campus of Care**





McNally House Hospice

McNally House Expansion

Deer Park Villa and Suites

West Lincoln Memorial Hospital

The Expansion – Day Hospice and Four New Beds

- **Campus of Care** project envisions:
 - hub of care covering the community from the beginning of life through to the end
 - Shared gardens, landscaping and trails to physically connect McNally House to WLMH
 - Connections with Deer Park Villa
 - We are continuing to work with Hamilton Health Sciences on this concept







The Expansion Part 1 – All New Day Hospice

- **The Day Hospice** – fills the very real gap that exists from the time of a diagnosis of a life-limiting illness to the final days
- Up to a two-year path from diagnosis – this is a very difficult period, and there are few supports for those affected to get through this challenging time
- McNally House joins the growing number of Day Hospice Programs across Ontario that have been in existence for over 25 years.



The Expansion Part 1 – Continued

- In 2019 over 450 people used the Hospice's psychological, spiritual and bereavement support programs, exceeding our current capacity
- The new Day Hospice will transform our ability to provide these services - we can provide support to hundreds more people per year and their families
- Provide support to help people stay engaged, or to re-engage in many of the activities that give life it's true meaning and value

The Expansion Part 2

4 additional beds in an All New 10-Bed Residential Hospice

- An all new 10-bed residential hospice
- New features will include:
 - An overnight suite for families and loved ones
 - A family recreation room
 - New outdoor spaces
 - A new memorial garden
 - Family spaces to provide dignity and comfort for those staying by the side of their loved ones



Progress To Date

- Land transfers from WLMH have been completed with HHS
- Architects have completed detailed designs
- A rezoning application has been submitted and is currently under review by the Town of Grimsby
- Campus of Care planning is underway
- Fundraising consultants were hired in 2019
 - The early phase of the campaign began in early 2020
- COVID-19 put the campaign on hold, began getting ramped up again in November 2020
- Our Campaign Cabinet was chosen in March of 2021 and are actively fundraising





The Capital Fundraising Campaign

- **Campaign Co-Chairs** – Murray Bain, Debbie Zimmerman
- **Campaign Goal:** \$9.5M
- \$1M Transformational gift commitment from Blair McKeil bringing our current fundraising to over 2M
- \$800,000 from the Ministry of Health and Long-Term Care **(pending)** - \$200,000 for each of the 4 beds
- **The Town of Lincoln:** Has approved funding at a ratio of \$4.83 per resident over 5 years for a total of \$115, 000
- A request has been submitted to the Niagara Region for a total of 1.1M



Municipal Asks

- Our request to the Township of West Lincoln: Support the McNally House Hospice Expansion at a ratio of \$4.83 per resident over 5 years
- Based on the 2016 census figure: Approx. \$14,000 annually for 5 years for a total of approx. \$70,000
- Less than \$1 per year per resident



Thank You!

DATE: June 21, 2021
REPORT NO: WLFD-09-2021
SUBJECT: **Monthly Update May 2021**
CONTACT: Dennis Fisher, Fire Chief

OVERVIEW:

- This report will address May 2021 fire responses and activities.

RECOMMENDATION:

1. That, report WLFD-09-2021 regarding “Monthly Update – May 2021”, dated June 21, 2021, be received for information purposes.

ALIGNMENT TO STRATEGIC PLAN:

Theme #5

- Community Health and Safety – Fostering a safe community where residents can thrive throughout their lives.

Theme #6

- Efficient, Fiscally Responsible Operations – maintaining a lean organization with innovative approaches and strong asset management.

CURRENT SITUATION:

Emergency Response Calls – May 2021

Station # 1 – 26 Station # 2 – 6 Pelham – 2

Incident	Call Date	Call Time	Nature	District
2021-006131	05/31/2021	13:20:58	41 - Mvc Extrication	St # 1
2021-006085	05/30/2021	5:22:52	41 - Mvc Extrication	St # 1
2021-006067	05/29/2021	19:50:14	118 - Arcing Hydro Lines/Pole	St # 1
2021-005963	05/27/2021	15:59:18	114 - Remote Alarm From Security	St # 1
2021-005939	05/27/2021	3:21:22	1 - Structure Fire	Pel # 2 St # 1
2021-005935	05/26/2021	22:14:01	54 - Vsa/Unconscious	St # 2

2021-005884	05/25/2021	17:49:06	31 - Garbage Container Fire	St # 1
2021-005870	05/25/2021	10:55:11	110 - Garage Fire	St # 1
2021-005752	05/23/2021	14:54:00	54 - Vsa/Unconscious	St # 1&2
2021-005611	05/20/2021	19:10:20	8 - Non-Emergency Assistance	St # 1
2021-005606	05/20/2021	18:03:19	2 - Vehicle Fire	St # 1
2021-005586	05/20/2021	13:33:36	116 - Ruptured/Damaged Gas Line	St # 1
2021-005494	05/19/2021	3:18:31	73 - Odour Investigation	St # 1&2
2021-005453	05/18/2021	10:52:01	3 - Grass Fire	St # 1
2021-005425	05/17/2021	19:58:53	201 - Medical Assist Using C.P.R.	St # 1
2021-005279	05/14/2021	22:37:09	3 - Grass Fire	St # 1
2021-005249	05/14/2021	4:52:42	4 - Mvc Unknown Extrication	St # 1
2021-005222	05/13/2021	16:00:51	8 - Non-Emergency Assistance	St # 1
2021-005214	05/13/2021	14:30:31	3 - Grass Fire	St # 1
2021-005211	05/13/2021	12:36:50	54 - Vsa/Unconscious	St # 1
2021-005032	05/08/2021	17:27:30	5 - Emergency Medical Assistance	Pel # 2
2021-004996	05/07/2021	16:21:53	6 - Hazardous Material	St # 1
2021-004965	05/06/2021	20:50:33	44 - Rescue, Off Road/Trail	St # 1&2
2021-004850	05/04/2021	22:31:57	5 - Emergency Medical Assistance	St # 1
2021-004810	05/03/2021	19:07:33	4 - Mvc Unknown Extrication	St # 1
2021-004788	05/03/2021	13:18:38	4 - Mvc Unknown Extrication	St # 1&2
2021-004762	05/02/2021	19:44:13	4 - Mvc Unknown Extrication	St # 1&2
2021-004753	05/02/2021	16:33:25	54 - Vsa/Unconscious	St # 1

District Legend:

Grimsby = GR, Pelham = PE, Haldimand = HD, Lincoln = L

New Retirees – Nothing to report

New Recruits – Recruit class training is ongoing

Promotion – Nothing to report

Training

- West Lincoln Fire will continue to train in small groups following Provincial & Public Health guidelines, with social distancing and mask wearing.

Fire Prevention – Nothing to Report

Apparatus Fleet – New Fire Tanker Tender closes June 21, 2021

Fire Department Activities

- Station # 2 New Fire Hall – weekly meetings are continuing, working through the planning process, site plans, and preliminary drawings are being finalized

Prepared & Submitted by:



Dennis Fisher, Fire Chief / CEMC

Approved by:



Bev Hendry, CAO

DATE: June 21, 2021

REPORT NO: T-17-2021

SUBJECT: **Development Charges 2020 Treasurer's Annual Statement**

CONTACT: Donna DeFilippis, Director of Finance and Treasurer

OVERVIEW:

- Schedule A summarizes the activity within the Township's Development Fund Reserves for 2020

RECOMMENDATION:

- (1) That, report T-17-2021, regarding "Development Charges 2020 Treasurer's Annual Statement" dated June 21, 2021, be received for information; and,
- (2) That, report T-17-2021 and Schedule A be posted on the Township website.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1, 3, 5 and 6

- **Theme #1: Strong Transportation Connections-** Development Charges provide funding for projects that have a growth component
- **Theme #3: Strategic, Responsible Growth –** Development Charges act as a key funding component available to meet the infrastructure requirements brought on by growth
- **Theme #5: Community Health and Safety-** Development Charges provide funding for projects that have a growth component
- **Theme #6: Efficient, Fiscally Responsible Operations-**preparation and presentation of this report will ensure that the Township is in compliance with legislated reporting obligations.

BACKGROUND:

Section 43(2) of the *Development Charges Act* (DCA) prescribes the information that must be included in the Treasurer's annual statement. The requirements are as follows:

- Opening and closing balances of the Reserve Funds
- All transactions in the fund
- Identify all assets funded by Development Charges (DCs) and how the portions not funded by DCs were funded

- A statement from the Treasurer that the Township is in compliance with section 59.1(1) of the *Development Charges Act* (DCA)
- This statement must be available to the public.

Section 59.1 of the Development Charges Act specifically prohibits municipalities from imposing additional payments on developers or requiring construction of a service unless specifically authorized under the DCA or another Act. This provision does not affect a municipality's right to include conditions for installation or payment for local services but is intended to close the door on other "voluntary" payments that may have been sought by municipalities outside the legislative framework. The importance that the province places on this new section is reinforced by (a) requiring that the Treasurer's report must now include a statement confirming that the municipality is in compliance with Section 59.1(1); and, (b) granting extensive investigative powers to the Minister of Municipal Affairs and Housing to investigate whether a municipality is in compliance. The Township of West Lincoln is in compliance with section 59.1(1) of the *Development Charges Act*.

CURRENT SITUATION:

Development charges are one-time fees collected on new residential and non-residential properties to finance a portion of the capital infrastructure requirements associated with growth. Amounts collected are held in the designated Development Charge Reserve Fund account and accumulate interest. The growth-related spending authority is approved annually as part of the Township's budget process with capital projects included in the current background study being eligible for development charge funding.

Bill 108, *More Homes, More Choice Act, 2019* received Royal Assent on June 6, 2019. Schedule 3 of the Act makes amendments to the *Development Charges Act*, however, none of those amendments impact the above sections of the Act, and thus there have been no changes made to the reporting requirement.

The statement (Schedule A) provides a summary of the financial activity of the various Development Charge Reserve Funds for the year ending December 31, 2020. Revenues consist of contributions collected at the time of building permit issuance, plus interest earned in the fiscal year. Transfers for funding are made in accordance with the Township's 2019 Background Study in support of the Development Charge By-law 2019-51. The closing balance as at December 31, 2020 represents the cash balance in the Development Charge Reserve Account.

The Township received notice in August 2019 that Development Charge By-Law 2019-51 was appealed to the Local Planning Appeal Tribunal (LPAT). A representative from LPAT conducted a mediation session on Thursday, November 26, 2020 between the Township and the Appellant. These proceedings resulted in the reduction of the development charges on roads, storm-water, wastewater and water services. The 2019 Development Charge for a rural single-family dwelling was reduced to \$10,233 from \$11,006 and the 2019 Development Charge for an urban single-family dwelling was reduced to \$11,778 from \$14,853.

The Capital Projects within the background study that were modified as a result of this settlement have not been completed and this decision has not resulted in any change to the Township's Financial Statements. The Township is obligated to return any overpayments related to amounts collected and plans to have this process completed by early fall. It is important to note that Development Charges collected are not considered revenue to the Township until they are used to fund a capital project. Up to that point they are accounted for as a deferred revenue, which appears as a liability on the Township's Financial Statement. At this point, the amounts to be returned are estimated to total \$232,300 and is broken down as follows:

- Road Services- \$60,400
- Storm Sewer Services - \$47,700
- Water Services - \$88,300
- Wastewater Services - \$35,900.

FINANCIAL IMPLICATIONS:

Development Charges (DCs) are fees collected which assist in financing a portion of capital requirements as they relate to growth. The Development Charge By-law sets the fees for collection at the building permit stage. These DC fees are collected and deposited into the separate Development Charge Reserve Funds in accordance with legislative requirements. Interest accrues on these funds and draws are made for eligible capital expenditures. DC's are a form of financing for capital as it relates to growth and such fees are governed under the *Development Charges Act*. There is no financial impact to receiving this report.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the CAO.

CONCLUSION:

It is recommended that the Development Charge Reserve Fund Activity Report for the year ended December 31, 2020 (Schedule A) be received and posted on the Township's website.

Prepared & Submitted by:



Donna DeFilippis, Director of Finance

Approved by:



Bev Hendry, CAO

Township of West Lincoln											
Statement of Development Charges Reserve Funds											
As at December 31, 2020											
		Administration	Roads	Fire	Recreation Outdoor	Recreation Indoor	Library	Storm Sewer	Sanitary Sewer	Water	Total
Balance, beginning of the year		236,185	1,875,952	443,703	- 2,996	154,191	49,947	48,968	646,544	532,027	3,984,521
											-
Revenues:											-
Development Charges		26,336	523,739	31,012	69,273	205,881	48,825	54,144	70,100	168,359	1,197,669
Interest Income		2,724	22,138	3,912	180	1,742	483	852	7,634	5,959	45,624
											-
Total Revenues		29,060	545,877	34,924	69,453	207,623	49,308	54,996	77,734	174,318	1,243,293
											-
											-
Expenses											-
Transfer to Capital/Revenue Fund		12,303	322,443	219,805	31,084	203,241	62,396	-	-	67,000	918,272
											-
Total Expenses		12,303	322,443	219,805	31,084	203,241	62,396	-	-	67,000	918,272
											-
Balance, end of year		252,942	2,099,386	258,822	35,373	158,573	36,859	103,964	724,278	639,345	4,309,542

Township of West Lincoln													
Statement of Development Charges Reserve Funds													
As at December 31, 2020													
2020 Projects Funded with Development Charges													
Project Name and Type		Total Project Cost	Operating Fund	Development Charges	Reserve Equipment	Reserve Water	Reserve Capital	Reserve Library	Reserve Planning	Reserve Road Settlement	Reserve Bridge	Reserve Fire	Grants
CORPORATE STRATEGIC PLAN		11,678	-	3,300	-		8,378	-				-	
URBAN BOUNDARY EXPANSION		8,107	-	7,296		-			811				
WELLANDPORT STREETSCAPE MASTERPLAN		6,042	-	1,707					1,314				3,021
FIRE PUMPER RESCUE TRUCK		680,488	-	219,805								460,683	
PICK-UP TRUCK		73,340	-	36,886	36,454								
GENERAL ROAD IMPROVEMENTS		913,784	-	95,605			13,547			105,461			699,171
BRIDGE REHABILITATION AND REPLACEMENT		1,468,956	-	146,895	-					571,573	141,735		608,753
SIDEWALK-2019 SGR6 - GATEWAY TO RR20		15,129	-	4,751			10,378						
SIDEWALK IND PKWY RR20 TO PLAZA		5,442	-	1,709			3,733						
SIDEWALK-RR20 WEST TO GRIFFIN		38,095	-	11,809									26,286
SIDEWAL-RR20 WADE TO WEST		40,272	-	12,484									27,788
SIDEWALK-RR20 WADE TO GRIFFIN		39,183	-	12,304			26,879						
GRIFFIN ST.N. WATERMAIN FROM STATION ST. TO WEST ST.		151,896		67,000		84,896							
MULTI USE RECREATION FACILITY DEBT REPAYMENT		1,244,707	1,001,035	243,672									
SMITHVILLE SQUARE PARKETTE		20,147		20,147									
WELLANDPORT LIBRARY ADDITION		SEE NOTE BELOW		5,902									
SMITHVILLE LIBRARY ADDITION TO COLLECTION		14,181		12,000				2,181					
WELLANDPORT LIBRARY ADDITION TO COLLECTION		9,131		8,200				931					
CAISTORVILLE LIBRARY ADDTION TO COLLECTION		7,317		6,800				517					
Total		4,747,895	1,001,035	918,272	36,454	84,896	62,916	3,629	2,125	677,034	141,735	460,683	1,365,019
NOTE:													
The Wellandport Library Addition was constructed between 2017 and 2018 with a total cost of \$1,252,304. As per the 2019 Background Study, 9% of the project is funded through Development Charges.													
Prior to 2021, \$88,800 or 7% has been transferred from the Library Development Charges Account. Each year a portion of the Development Charges collected will be used to payback the Library Reserve until the 9% or \$112,707 is reached.													

DATE: June 21, 2021
REPORT NO: T-16-2021
SUBJECT: **Financial Update as of May 31, 2021**
CONTACT: Donna DeFilippis, CPA, CA Director of Finance and Treasurer

OVERVIEW:

- Presentation of a financial update as of May 31, 2021
- Included in this report is a request to approve two budget amendments that are associated with grant funding

RECOMMENDATION:

- (1) That, Report T-16-2021, regarding the “Financial Update as of May 31st, 2021”, be received for information; and,
- (2) That, Budget Amendment 2021-06 regarding the implementation of a Farmer’s Market at a cost of \$33,200, funded through the RED grant at \$16,600 and a transfer from the Contingency Reserve of \$16,600 be approved; and,
- (3) That, Budget Amendment 2021-07 regarding the Rehabilitation of the Public Works Building, at a cost of \$100,000, funded through the ICIP COVID-19 grant be approved.

ALIGNMENT TO STRATEGIC PLAN:

Theme #6

- Efficient, Fiscally Responsible Operations - the Township of West Lincoln is a lean organization that uses sustainable, innovative approaches and partnerships to streamline processes, deliver services and manage infrastructure assets

Theme #4

- Local Attractions - West Lincoln has amenities, programs and services that bring the community together to celebrate small-town and rural way of life

Theme #5

- Community Health and Safety - West Lincoln continues to be a safe community where all residents are supported to thrive throughout their lives

BACKGROUND:

The Finance Department has completed a review of operating results up to the end of May 31, 2021. **Appendix A** is a summary of the Operating Revenues and Expenditures up to May 31, 2021. The analysis has taken into account the timing and seasonality of certain budget lines. The column titled “Budget” under the “Operating YTD” heading on the attached analysis indicates the portion of the budget that would be expected to be expended as of May 31, 2021. This report summarizes the actual operating expenditures up to May 31, 2021 by service area. **Appendix B** to this report is a

presentation of May 31, 2021 results by “object” code and includes Capital expenditures. **Appendix C** to this report is a listing of the Township Uncommitted Reserve Balances projected to December 31, 2021. **Appendix D** to this report provides a summary of costs incurred as a result of the Covid-19 pandemic as of May 31, 2021.

CURRENT SITUATION:

Revenue Analysis:

All revenue items are currently on track, except for Facility Rental fees, which are projected to be below budget as a result of the Emergency Orders related to the COVID-19 Pandemic.

Expenditure Analysis:

Township operating budgets are currently within the approved budget and at this point there are no items of concern.

Financial Impact of COVID-19:

The COVID-19 pandemic continues to impact the finances of the Township in 2021. **Appendix D** outlines the costs and lost revenue as a result of COVID-19 up to May 31, 2021. At this point staff is not yet projecting the impact to December 31, 2021 due to the many unknowns at this point of the year. On April 8th, 2021, the Province of Ontario declared an emergency and a province wide stay-at-home order. That followed the April 1st, 2021 Provincial Announcement of an “emergency brake” that resulted in the closure of Township facilities to the public. At the time of preparing this report Ontario is scheduled to move to Step One of its “Roadmap to Reopen” on Friday, June 11th, 2021. The “Roadmap to Reopen” is Ontario’s three-step plan to gradually and safely lift restrictions and reopen the province.

In 2020, the Township received \$329,800 from the Province of Ontario through the Safe Restart Agreement, of which \$48,087 has been transferred into the Contingency Reserve to be used to fund 2021 COVID-19 costs. In December 2020, the Province announced that it would transfer an additional \$66,000 to the Township to assist with the COVID 19 impacts. Finally, on March 4th, 2021 funding of \$267,744 was announced from the Province through the 2021 COVID-19 Recovery Funding for Municipalities program. This last allocation was based on a formula that takes into account the proportion of COVID-19 cases in the local health unit between January 1 and February 18, 2021. In total, **\$381,831** in funds are available in 2021 to assist with COVID-19 impacts to the Township Operating fund. Any unused funds are required to be transferred into a reserve to deal with 2022 COVID-19 impacts. These funds cannot be used for Capital expenditures.

At this point staff are anticipating that “hybrid” Committee and Council meetings will commence in September 2021. A “hybrid” meeting will enable attendance both in-person and remotely through Zoom. As restrictions continue to be lifted, in-person meetings will be permitted, with possible capacity restraints. The ability to conduct a “hybrid” meeting will accommodate various methods of participation while ensuring public safety, transparency and public engagement are all well considered. It is

estimated that the cost to run this format of a meeting will be approximately \$8,000 for the months of September to December, with the additional costs covered through the COVID-19 funding provided by the Province of Ontario.

Purchasing Activity:

The Township's purchasing policy grants the CAO purchasing authority up to \$100,000. In the month of April, the CAO approved the following (the Amount column is before taxes):

Vendor	Amount	Project
Vince Stewart Building Services	\$ 16,900.00	Caistorville Library Roof
Active Network	\$ 18,028.50	Recreation & Facility Booking Software
Civica Water Management Solutions	\$ 64,600.00	Sewer Inflow and Infiltration Monitoring
Kilton Inc.	\$ 58,900.00	Network Server

All of the items above are within the approved budget.

FINANCIAL IMPLICATIONS:

Budget Amendment:

Amendments to the approved budget are requested by staff when they become aware of changes to the original Council approved budget. As part of the 2021 budget approval, Council approved the following recommendation:

“7. That, Council delegate authority to the CAO to approve in year 2021 budget amendments up to \$20,000 per item and to report to Council on a monthly basis regarding such amendments; and, “

Any amounts over \$20,000 would go directly to Council for approval. Commencing in 2021, the Finance Department will establish a numbering system for all budget amendments and will also include a summary of in-year budget amendments with the monthly financial update. These new procedures will further strengthen the budgeting processes of the Township and enhance transparency to the public.

To date, the following budget amendments have been approved:

Number	Description	Amount	Funding Source
BA2021-01	Town Hall Renovations in Former Library	\$ 10,000.00	Capital Reserve
BA2021-02	Bandshell	\$ 45,000.00	Facilities Reserve
BA2021-03	Hard-topping Concession 5 from Abingdon to Caistor Center Road	n/a	change in scope
BA2021-04	Pick Up Truck project 236	\$ 6,000.00	Equipment Reserve
BA2021-05	Building Department Review	\$ 17,000.00	Contingency Reserve-Modernization Grant

This month staff is requesting the approval of the following two budget amendments:

BA2021-06 Farmer's Market:

Staff applied and were successful in obtaining funding from the Rural Economic Development (RED) program towards the establishment of a Farmer's Market. The funding agreement covers the years 2021 and 2022 and includes the approval of eligible costs up to \$71,800, with the grant covering 50% of these costs. Expenditures in 2021 are anticipated to total \$33,200. A 2021 budget amendment request to fund the Farmer's Market project at a cost of \$33,200 funded by the RED grant of \$16,600 and a transfer from the Contingency Reserve of \$16,600 is requested. The establishment of a Farmer's Market is an initiative outlined in the Corporate Strategic Plan under Theme #4, Local Attractions.

BA2021-07 Public Works Building Renovations:

On October 28, 2020, Ontario announced the ICIP COVID-19 Resilience Infrastructure Stream ("COVID stream") under the Investing in Canada Infrastructure Program (ICIP) in Ontario. In November 2020 the Township was informed that its allocation under this program was \$100,000 with no cost sharing required. The Federal Government would be funding 80% of the cost and the Province of Ontario would fund 20% of the costs. Based on the specific eligibility requirements tied to the funding, staff submitted a project to update the Public Works Building as follows:

- repair internal walls that have shifted and deteriorated over time
- install a proper exhaust/air flow system in the working bays for better air quality in the work place
- replace old bay doors
- convert all lighting to LED to be a more environmentally friendly workplace
- update the office spaces

Staff is requesting a budget amendment to approve the \$100,000 project to rehabilitate the Public Works Building funded by the ICIP COVID-19 stream grant. This project is outlined in the Corporate Strategic Plan, under the Theme #5 Community Health and Safety.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the CAO.

CONCLUSION:

It is concluded that Council receive the Financial Update as of May 31st, 2021 Report as an item of information and approve the two requested budget amendments.

Prepared & Submitted by:



Donna DeFilippis, Director of Finance

Approved by:



Bev Hendry, CAO

TOWNSHIP OF WEST LINCOLN

For the Five Months Ending Monday, May 31, 2021

		Operating YTD				Operating Total		
		Actuals	Budget	Variance (\$)	Variance (%)	Budget	Variance (\$)	Variance (%)
General								
	General	(\$4,006,674.11)	(\$3,991,250.00)	\$15,424.11	(0.%)	(\$9,578,680.00)	(\$5,572,005.89)	58.%
	Equipment	118,384.37	-80.00	-118,464.37	148080.%		-118,384.37	0.%
Total General		-3,888,289.74	-3,991,330.00	-103,040.26	3.%	-9,578,680.00	-5,690,390.26	59.%
General Government								
	Governance	91,964.53	121,930.00	29,965.47	25.%	294,180.00	202,215.47	69.%
	Corporate Management	974,825.63	705,420.00	-269,405.63	(38.%)	1,696,850.00	722,024.37	43.%
Total General Government		1,066,790.16	827,350.00	-239,440.16	(29.%)	1,991,030.00	924,239.84	46.%
Protection Services								
	Fire	272,880.44	564,890.00	292,009.56	52.%	1,327,650.00	1,054,769.56	79.%
	Building Permit & Inspection Serv	1,070.40	38,290.00	37,219.60	97.%	91,700.00	90,629.60	99.%
	Provincial Offences Act	-9,086.37	-8,150.00	936.37	(11.%)	-19,500.00	-10,413.63	53.%
	Animal Control	9,838.00	8,950.00	-888.00	(10.%)	21,500.00	11,662.00	54.%
Total Protection Services		274,702.47	603,980.00	329,277.53	55.%	1,421,350.00	1,146,647.53	81.%
Transportation Services								
	Roads Paved &Unpaved	614,694.17	928,140.00	313,445.83	34.%	2,228,590.00	1,613,895.83	72.%
	Traffic Operations & Roadside Ma	48,998.82	101,380.00	52,381.18	52.%	244,230.00	195,231.18	80.%
	Winter Control	249,299.36	313,030.00	63,730.64	20.%	680,370.00	431,070.64	63.%
	Crossing Guards	21,767.81	33,350.00	11,582.19	35.%	67,250.00	45,482.19	68.%
	Streetlights	-24,736.79	11,800.00	36,536.79	310.%	28,300.00	53,036.79	187.%
	Bridges & Culverts	17,931.67	98,650.00	80,718.33	82.%	236,700.00	218,768.33	92.%
Total Transportation Services		927,955.04	1,486,350.00	558,394.96	38.%	3,485,440.00	2,557,484.96	73.%
Environmental Services								
	Wastewater	-45,756.54	-350.00	45,406.54	(12973.%)		45,756.54	0.%
	Storm Sewer	-495.00	48,150.00	48,645.00	101.%	115,500.00	115,995.00	100.%
	Water	-105,684.49	-430.00	105,254.49	(24478.%)		105,684.49	0.%
Total Environmental Services		-151,936.03	47,370.00	199,306.03	421.%	115,500.00	267,436.03	232.%
Heath Services								
	Cemeteries	26,267.42	61,750.00	35,482.58	57.%	149,370.00	123,102.58	82.%
Total Heath Services		26,267.42	61,750.00	35,482.58	57.%	149,370.00	123,102.58	82.%
Recreation & Cultural Services								
	Parks	101,414.74	180,800.00	79,385.26	44.%	447,750.00	346,335.26	77.%
	Recreation Programs	89,581.62	151,050.00	61,468.38	41.%	377,140.00	287,558.38	76.%
	Recreational Facilities	244,076.11	208,410.00	-35,666.11	(17.%)	489,280.00	245,203.89	50.%
	Libraries	253,603.49	277,430.00	23,826.51	9.%	679,270.00	425,666.51	63.%
Total Recreation & Cultural Services		688,675.96	817,690.00	129,014.04	16.%	1,993,440.00	1,304,764.04	65.%
Planning & Development								
	Planning & Heritage	149,827.18	156,490.00	6,662.82	4.%	374,590.00	224,762.82	60.%
	Drainage	13,640.92	17,950.00	4,309.08	24.%	42,960.00	29,319.08	68.%
	Climate Change		2,100.00	2,100.00	100.%	5,000.00	5,000.00	100.%
Total Planning & Development		163,468.10	176,540.00	13,071.90	7.%	422,550.00	259,081.90	61.%
		-892,366.62	29,700.00	922,066.62	3105.%		892,366.62	0.%

TOWNSHIP OF WEST LINCOLN
Summary of All Units
For the Five Months Ending Monday, May 31, 2021

	YTD				Annual		
	Budget	Actual	Variance (\$)	Variance (%)	Budget	Remaining (\$)	Remaining (%)
<u>Operating Revenue</u>							
Tax Levy	\$3,387,500.00	\$3,786,865.63	(\$399,365.63)	(12.%)	\$8,130,140.00	\$4,343,274.37	53.%
Street Light Levy	33,500.00	40,270.89	-6,770.89	(20.%)	80,400.00	40,129.11	50.%
Sidewalk Levy	46,750.00	55,890.06	-9,140.06	(20.%)	112,130.00	56,239.94	50.%
Supplemental Levy	25,000.00		25,000.00	100.%	60,000.00	60,000.00	100.%
Payment In Lieu	298,050.00	485.77	297,564.23	100.%	715,300.00	714,814.23	100.%
User Fees	2,289,945.00	1,374,610.81	915,334.19	40.%	5,495,340.00	4,120,729.19	75.%
Government Transfers	449,000.00	655,845.62	-206,845.62	(46.%)	1,077,600.00	421,754.38	39.%
Other Revenue	402,660.00	173,967.51	228,692.49	57.%	966,140.00	792,172.49	82.%
Allocation of Program Support	635,350.00		635,350.00	100.%	1,524,750.00	1,524,750.00	100.%
Funding From Reserves	452,535.00	40,105.59	412,429.41	91.%	1,086,140.00	1,046,034.41	96.%
Total Operating Revenue	8,020,290.00	6,128,041.88	1,892,248.12	24.%	19,247,940.00	13,119,898.12	68.%
<u>Operating Expenses</u>							
Salaries and Wages	2,233,200.00	2,048,702.09	184,497.91	8.%	5,363,930.00	3,315,227.91	62.%
Benefits	694,610.00	577,038.23	117,571.77	17.%	1,655,620.00	1,078,581.77	65.%
Debenture Interest	248,000.00	302,125.58	-54,125.58	(22.%)	595,200.00	293,074.42	49.%
Administrative Expenses	127,350.00	57,488.01	69,861.99	55.%	304,770.00	247,281.99	81.%
Supplies and Equipment	165,140.00	91,624.13	73,515.87	45.%	387,830.00	296,205.87	76.%
Repairs and Maintenance (Materials Only)	673,930.00	527,848.97	146,081.03	22.%	1,578,620.00	1,050,771.03	67.%
Utilities	206,900.00	142,863.81	64,036.19	31.%	496,670.00	353,806.19	71.%
Insurance	114,050.00	98,600.85	15,449.15	14.%	273,460.00	174,859.15	64.%
Subscriptions and Periodicals	3,000.00	4,826.49	-1,826.49	(61.%)	7,230.00	2,403.51	33.%
Contracted Services	1,458,740.00	839,721.54	619,018.46	42.%	3,497,490.00	2,657,768.46	76.%
Special Projects	224,170.00	79,809.52	144,360.48	64.%	538,000.00	458,190.48	85.%
Rents and Financial Expenses	28,150.00	8,177.87	19,972.13	71.%	67,570.00	59,392.13	88.%
External Transfers	15,750.00	34,350.00	-18,600.00	(118.%)	37,700.00	3,350.00	9.%
Internal Functional Adjustments	282,800.00		282,800.00	100.%	678,750.00	678,750.00	100.%
Allocation of Program Support	351,040.00		351,040.00	100.%	842,400.00	842,400.00	100.%
Tax Write Off	37,350.00	34,467.30	2,882.70	8.%	89,600.00	55,132.70	62.%
Debenture Principal	297,950.00	331,139.97	-33,189.97	(11.%)	714,900.00	383,760.03	54.%
Contribution to Reserves	887,860.00		887,860.00	100.%	2,118,200.00	2,118,200.00	100.%
Total Operating Expenses	8,049,990.00	5,178,784.36	2,871,205.64	36.%	19,247,940.00	14,069,155.64	73.%
Operating Surplus/(Deficit)	-29,700.00	949,257.52	-978,957.52	3296.%		-949,257.52	0.%
<u>Capital Revenue</u>							
User Fees	252,210.00		252,210.00	100.%	605,300.00	605,300.00	100.%
Government Transfers	436,710.00	99,030.00	337,680.00	77.%	1,048,120.00	949,090.00	91.%
Other Revenue		11,250.00	-11,250.00	0.%		-11,250.00	0.%
TCA Sale Proceeds		21,299.67	-21,299.67	0.%		-21,299.67	0.%
Proceeds From Debentures	412,500.00		412,500.00	100.%	990,000.00	990,000.00	100.%
Funding From Reserves	1,118,780.00		1,118,780.00	100.%	2,685,080.00	2,685,080.00	100.%
Total Capital Revenue	2,220,200.00	131,579.67	2,088,620.33	94.%	5,328,500.00	5,196,920.33	98.%
<u>Capital Expenditures</u>							
Land Improvements	40,415.00		40,415.00	100.%	97,000.00	97,000.00	100.%
Facilities	19,620.00	207,092.80	-187,472.80	(956.%)	47,100.00	-159,992.80	(340.%)
Equipment	208,585.00	124,407.01	84,177.99	40.%	500,600.00	376,192.99	75.%
Rolling Stock	677,085.00	618,670.97	58,414.03	9.%	1,625,000.00	1,006,329.03	62.%
Transportation Infrastructure	1,037,910.00	22,072.88	1,015,837.12	98.%	2,491,000.00	2,468,927.12	99.%
Environmental Infrastructure	236,585.00	31,922.47	204,662.53	87.%	567,800.00	535,877.53	94.%
Total Capital Expenditures	2,220,200.00	1,004,166.13	1,216,033.87	55.%	5,328,500.00	4,324,333.87	81.%
Capital Surplus/(Deficit)		-872,586.46	872,586.46	0.%		872,586.46	0.%

RESERVE FUND AND RESERVE BALANCES PROJECTED TO DECEMBER 31, 2021

	PROJECTED UNCOMMITTED 2021	
RESERVE FUNDS:		
BUILDING REVENUES RESERVE	\$	289,588
LIBRARY	\$	173,994
TOTAL RESERVE FUNDS	\$	463,582
RESERVES:		
HOSPITAL RESERVE	\$	1,325,300
SEWER PROJECTS	\$	720,804
WIND TURBINE COMMUNITY FUND RESERVE	\$	700,508
CAPITAL	\$	659,952
CONTINGENCIES	\$	606,491
WINTER CONTROL	\$	522,500
INDUSTRIAL PARK	\$	467,843
WATER DEPT. PROJECTS	\$	460,159
SETTLEMENT ROAD AGREEMENT RESERVE	\$	433,261
FIRE RESERVE	\$	391,160
FACILITY RESERVE	\$	292,925
BRIDGES	\$	194,758
INSURANCE	\$	187,655
SIDEWALKS	\$	160,682
ELECTION EXPENSE	\$	119,075
PLANNING RESERVE	\$	73,304
TECHNOLOGY	\$	72,065
STREET LIGHTS	\$	64,752
RATE STABILIZATION RESERVE	\$	59,000
WORKING FUNDS	\$	45,159
ARENA BUILDING FUND	\$	34,793
ACCESSIBILITY RESERVE	\$	29,491
CEMETARIES	\$	15,417
RECREATION	\$	1,004
EQUIPMENT RESERVE	-\$	36,128
TOTAL RESERVES	\$	7,601,930
TOTAL RESERVE FUNDS AND RESERVES	\$	8,065,512

FINANCIAL IMPACT OF COVID-19 AS OF MAY 31, 2021

REVENUE LOSS

Closures

Facility Rentals (includes Arena)	\$	98,200.00
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Total Closures

\$	98,200.00
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Other

Beautification Sponsors	\$	5,100.00
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Total Other

\$	5,100.00
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TOTAL REVENUE LOSS

\$	103,300.00
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ADDITIONAL EXPENSES

Supplies and Contracted Services	\$	20,920.00
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Additional Hall Board Grants	\$	8,400.00
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Cleaning Staff	\$	2,380.00
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Additional Staff hours including Screening Staff	\$	7,540.00
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TOTAL ADDITIONAL EXPENSES

\$	39,240.00
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COVID COSTS AND LOST REVENUE

\$	142,540.00
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MITIGATING FACTORS

Savings in Part-time Staffing Hours	\$	16,900.00
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TOTAL MITIGATING FACTORS

\$	16,900.00
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TOTAL

\$	125,640.00
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DATE: June 21, 2021
REPORT NO: C-04-2021
SUBJECT: Amendments to Refreshment Cart Licensing By-law 2010-20 – Delegate Authority to the Clerk to Approve Annual Licenses
CONTACT: Joanne Scime, Clerk

OVERVIEW:

As requested by Council at the April 19, 2021 Administration/Finance/Fire Committee meeting, this report addresses an amendment to the Township's Refreshment Cart Licensing By-law 2010-20 to delegate authority to the Clerk to approve annual licenses.

RECOMMENDATION:

1. That, Report RFD-C-04-2021, dated June 21, 2021, regarding "Amendments to Refreshment Cart Licensing By-law 2010-20 – Delegate Authority to the Clerk to Approve Annual Licences", be received; and,
2. That, Section (2)(d) 5. (License and Application and Fee) of By-law 2010-20 be amended by deleting this section and replacing it with the following proposed new/revised Section (2)(d) 5:
 5. Council shall hereby delegate authority to the Clerk and/or designate to approve every application for an annual or daily/temporary license for a refreshment vehicle, refreshment cart or refreshment cycle provided all other regulations/requirements of this by-law are met.
3. That, Section (3)(a) be amended by removing the following words at the beginning of the clause:

"At the pleasure of Council,"
4. That, Section (3)(b) by adding "daily/" before the word temporary to put it in line with the proposed new wording of (2)(d) 5.
5. That, any reference to the old "Zoning By-law 79-14' be replaced with the by-law number of the new "Comprehensive Zoning By-law 2017-70".
6. That, the Mayor and Clerk be and are hereby authorized to sign a by-law to implement the above noted amendments.

ALIGNMENT TO STRATEGIC PLAN:

Theme #2

- Support for Business and Employment Opportunities for Residents

BACKGROUND:

In February 2010, Township Council passed By-law No. 2010-20, to regulate and license refreshment vehicles, cycles and carts. The criteria set out in Section 2(d) 5 in By-law 2010-20 requires that every application for an annual license for a refreshment vehicle, refreshment cart or refreshment cycle shall be approved by Council.

In October 2017, Township Council passed By-law 2017-112, which amended By-law 2010-20 by delegating authority to the Clerk and/or designate to approve daily licenses for a refreshment vehicle, refreshment cart or refreshment cycle.

CURRENT SITUATION:

At the April 19, 2021 Administration/Finance/Fire Committee Meeting discussion occurred with respect to the need for Council to approve refreshment cart licenses and that this responsibility should be given to staff as it was felt approval of these applications should be administrative and not political. Subsequently, the following recommendation was put forward and adopted, which was ratified and approved by Council at their meeting of April 26, 2021:

- (1) That, Recommendations 2 and 3 of Recommendation Report No. RFD-C-03-2021 (Application for Refreshment Cart Licence and Lease for portion of Smithville Parkette/CIBC Parking Lot - Ken Brunaccioni (Dog Got It - Hot Dog Cart)) be amended by adding the following words after the word "approved":
"for a period of two (2) years; and,"
- (2) That, an additional Recommendation be added to the end of the recommendation that reads as follows:
"(5) That, staff be and are hereby directed to bring back a report to a future Committee or Council Meeting that would amend By-law 2010-20, being the Refreshment Cart Licensing By-law, to delegate authority to the Clerk or designate to approve future Refreshment Cart Licences."

To address the above noted resolution of Council, staff is recommending the following amendments to Refreshment Cart Licensing By-law 2010-20:

(2) License and Application and Fee:

CURRENT SECTION (2)(d) 5. – TO BE DELETED:

5. every application for an **annual** license for a refreshment vehicle, refreshment cart or refreshment cycle shall be approved by Council.
The authority to approve a daily license for a refreshment vehicle, refreshment cart or refreshment cycle shall hereby be delegated to the Clerk and/or designate. (as amended by By-law 2017-112)

PROPOSED NEW WORDING FOR SECTION (2)(d) 5:

5. Council shall hereby delegate authority to the Clerk and/or designate to approve every application for an annual or daily/temporary license for a refreshment vehicle, refreshment cart or refreshment cycle provided all other regulations/requirements of this by-law are met.

The removal of the words “At the pleasure of Council,” at the beginning of clause (3)(a) as shown below:

(3) Locations:

- (a) ~~At the pleasure of Council,~~ Operators may be licensed **annually** to operate a refreshment vehicle on any commercially zoned property in the Township of West Lincoln where permitted in accordance with Zoning By-Law 79-14, save and except vacant properties, subject to the following: *(as amended by By-law 2017-112)*

In addition to the above changes, two further housekeeping amendments are necessary as follows:

- 1) To amend Section (3)(b) by adding “daily/” before the word temporary to put it in line with the proposed new wording of (2)(d) 5. as noted above.
- 2) To change any reference to the old “Zoning By-law 79-14” and replace it with the by-law number of the new “Comprehensive Zoning By-law 2017-70”.

FINANCIAL IMPLICATIONS:

Not applicable to this report.

INTER-DEPARTMENTAL COMMENTS:

There are no financial impacts relating to this report.

CONCLUSION:

Staff recommends approval of the proposed amendments to the Refreshment Cart Licensing By-law as outlined in this report.

Prepared and submitted by:



Joanne Scime, Clerk

Approved by:



Bev Hendry, CAO

DATE: June 21, 2021
REPORT NO: WLFD-10-2021
SUBJECT: **Open-Air Fires**
CONTACT: Dennis Fisher, Fire Chief

OVERVIEW:

- To provide members of Council with the necessary information to approve the recommended Bylaw on Open-Air Fires in the Township of West Lincoln.

RECOMMENDATION:

1. That, report WLFD-10-2021 regarding “Open-Air Fires By-law” dated June 21, 2021, be received for information, and,
2. That Council adopt a Bylaw to regulate the setting of Open-Air Fires in the Township of West Lincoln; and,
3. That, the Mayor and Clerk be and are hereby authorized to sign an agreement with Fractal SAAS Inc. (FirePermits.Online) to provide online fire permit services; the cost of which is to be offset by the collection of fire permit fees and any penalty revenues that are received.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 5

- Community Health & Safety – Fostering a safe community where residents can thrive throughout their lives

BACKGROUND:

West Lincoln Fire Services have allowed open-air fires throughout the Municipality dating back to the early 1970s and still allows open-air fires today.

CURRENT SITUATION:

West Lincoln residents wishing to have a controlled open-air fire on their property must call the Township office for approval. Once approved, the address and time of burning is sent to St. Catharines Dispatch where it is logged. In the event a burning complaint comes through to West Lincoln Fire to respond, the responding unit could ask dispatch if there was a controlled open-air fire permit at this particular address.

Many municipalities permit open-air fires with strict conditions to address concerns of fire safety, health and safety of residents and protection of the environment. With the

ever-increasing availability of chimeneas and other portable fire pit devices, it is evident that there is confusion regarding the legalities associated with setting open-air fires. Further to this, the use of an approved appliance such as a barbecue relative to regulation and manufacturers' instructions/installation of being too close to combustibles and transportation/storage of propane has been of concern and captured in open-air fire By-laws.

The Ontario Fire Code (OFC) supersedes any municipal By-laws regarding matters that are addressed in the Code. As such, any By-law that permits open-air fires could be in conflict with the Code and, therefore, have no force in law. Specifically with respect to open-air fires, Article 2.4.4.4. of the OFC states, "Open-air burning shall not take place unless approved, or unless such open-air burning consists of a small, confined fire that is, supervised at all times, used to cook food on a grill or a barbecue or a spit and commensurate with the type of and quantity of food being cooked". On this basis, "approved" means the Chief Fire Official has authority and responsibility for approving open-air burning, unless it is for cooking in accordance with the Fire Code.

Farming operations are exempt under OFC Article 1.1.6.1. Despite this, in the opinion of the Fire Marshal, if the farm property also contains a dwelling, the OFC is applicable for fire safety matters in proximity to the dwelling. The term "proximity" is interpretive and as such, the literal application of the Code is highly subjective and may be viewed differently by the property owner and the Chief Fire Official. Section 2.4.4.4(2) of the OFC applies to appliances such as a barbecue, grill or spit for the purposes of cooking.

Section 7.1 (1) of the Fire Protection and Prevention Act, states "that a Council of a municipality may pass By-laws regulating fire prevention, including the prevention of the spreading of fires, and regulating the setting of open-air fires, including establishing the times during which open-air fires may be set and may deal with different areas of the municipality differently. The recommended By-law will be used to define conditions of approval that include location, fire size, fuel source, times of day, weather conditions, and so on. The recommended By-law will also be used as the mechanism for regulating open-air fires on properties exempt from the OFC (e.g.: farms), and serve to establish parameters for proximity to structures on these properties. Such a By-law would not be deemed in conflict with provincial legislation on the basis that these provisions are outside the scope of the OFC. Although a By-law may serve to "define" the conditions for approval, the authority/responsibility for approval would remain solely with the Chief Fire Official.

If approved by Council, the recommendation will permit open-air fires in all areas of the Municipality, with conditions that will always ensure fire safety, health and safety of our residents, and the environment.

Open-air fire By-laws will never be acceptable to everyone; however, the fire department will always respond to open-air fire complaints or incidents. We have the opportunity to find a balance with the recommended By-law and control open-air fires through a permit process. Those applying for a permit will have a set of conditions to

adhere to which will greatly assist West Lincoln Fire Services. When you go outside those conditions, there will be a penalty to pay.

The online permit process will eliminate a large number of phone calls that staff receive during working hours (mainly Fridays) which will be a more efficient and effective use of time management.

If approved, public education outreach will be critical to ensure residents understand the conditions when applying for a permit and penalties if they do not follow the conditions of the By-law. The website will clearly identify both the conditions and penalties and other pertinent information.

FINANCIAL IMPLICATIONS:

Staff will be working with FirePermits.Online so residents can apply for open-air fire permits online and payments will also be made online. The cost for this service from FirePermits.Online is \$199.00 per month plus 10% of the permit fee. The potential financial impact includes Township staff processing financial transactions and permit applications that are not processed online. There will be availability to offset these costs for the fire service with fire permit application fees and any penalties that may be issued to residents for non-compliance etc.

For the residents, as we continue to adapt our business at the Township, we are encouraging residents to use the on-line permit process to create efficiencies and for the effectiveness of both the end user and Township staff.

INTER-DEPARTMENTAL COMMENTS:

Discussions with Director of Finance/Treasurer and CAO.

CONCLUSION:

The recent pandemic has residents staying home more frequently and wanting to have a backyard campfire. Open-air fires should collectively consider air management, fire prevention and safety issues. The recommended By-law captures all of those fundamental principles. The recommended By-law provides a means of capturing Council's Strategic Priority of Accountability and Transparency throughout the community, by identifying and implementing improved approaches and balancing the needs of residents all West Lincoln residents.

Staff recommends the approval of the new Open-air Fire By-law.

Prepared & Submitted by:



Dennis Fisher, Fire Chief

Approved by:



Bev Hendry, CAO

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2021- ???

**A BY-LAW TO PROHIBIT AND REGULATE THE
SETTING OF OPEN-AIR FIRES WITHIN THE
TOWNSHIP OF WEST LINCOLN.**

WHEREAS Subsection 7.1(1) of the Fire Protection and Prevention Act, S.O. 1997, c. 4, as amended, provides that the Council of a municipality may pass By-laws to regulate fire prevention, including the prevention and spreading of fires, and to regulate the setting of Open-air Fires, including establishing the times during which Open-air Fires may be set;

AND WHEREAS Article 2.6.3.4 of the Fire Code, being Ontario Regulation 213/07, provides that open-air burning shall not take place unless approved;

AND WHEREAS section 10 of the Municipal Act, s.o. 2001, c. 2b, as amended, provides that the Council of a municipality may pass By-laws respecting the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 128 of the Municipal Act, 2001, provides that a Municipality may prohibit and regulate matters that, in the opinion of Council, are or could become public nuisances;

AND WHEREAS it is the opinion of Council that smoke, odour, ash, and embers from an Open-air Fire that enter onto or affect a neighbouring property are or could become a public nuisance;

AND WHEREAS Section 434.1 of the Municipal Act, 2001, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an Administrative Monetary Penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality passed under that Act;

AND WHEREAS Section 446 of the Municipal Act, 2001, provides that if a municipality has the authority under that or any other Act or under a By-law under that or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing a matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS the Council of the Township of West Lincoln deems it necessary and desirable to implement a Bylaw to prohibit and regulate the setting of Open-air Fires for the prevention of spreading of fires, to promote public health and safety, and to protect the welfare of the inhabitants of the municipality from air pollution, nuisances, and fire hazards associated with Open-air Fires;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

1. In this By-law,
 - a. **Adverse Effect** has the same meaning as in the Environmental Protection Act R.S.O. 1990, c. E. 19, and includes one or more of the following:
 - i. impairment of the quality of the natural environment for any use that can be made of it;
 - ii. injury or damage to property or to plant or animal life;
 - iii. harm or material discomfort to any Person;
 - iv. an adverse effect on the health of any Person;
 - v. impairment of the safety of any Person;
 - vi. rendering a property or plant or animal life unfit for human use;
 - vii. loss of enjoyment of normal use of property; and
 - viii. interference with the normal conduct of business.
 - b. **Burning safety Plan** means written procedures, which specify means and provisions for safely facilitating Open-air Fires, including the means of confinement and control of fires to prevent unwanted spread, specific provisions for extinguishment of open-air Fires, and provisions for fire department notification and emergency vehicle access.
 - c. **Campground/Trailer Camp** means a place that contains campsites for the purpose of providing overnight accommodation for tents, trailers, and/or motor homes in exchange for monetary payment or other consideration.
 - d. **Campground/Trailer Camp Fire Permit** means a permit issued, subject to compliance with this By-law, to set and maintain Open-air Fires in a Campground.
 - e. **Competent Person** means a person 18 years of age or older who is capable of exercising reasonable judgement and performing the actions necessary to control an Open-air Fire and prevent its unwanted spread, and who is equipped and able to summon the fire department in case of emergency.
 - f. **Council** means the elected municipal Council of the Township of West Lincoln
 - g. **Director** means the Director designated by the Administrative Monetary Penalty By-law of the Township
 - h. **Farm Fire Permit** means a permit issued to a Farmer, subject to compliance with the provisions of this By-law, to set and maintain an Open-air Fire from time to time on lands zoned for Agricultural use for the disposal of clean wood waste materials incidental to and consistent with normal farm practice.
 - i. **Farmer** means the owner or operator of an agricultural operation as defined in the Farming & Food Protection Act, S.O. 1998, c. 1.
 - j. **Fire Chief** means the Chief of the Fire Department of the Township, or any Person designated to act on his or her behalf.
 - k. **Fire Pit** means a pit dug into the ground, or a place with a non-combustible base and confined within a stone, masonry, metal or other non-combustible perimeter for the purpose of containing an Open-air Fire.

BY-LAW 2021-?? OPEN-AIR FIRES

- l. **Flying Lantern** means a device known as a Flying Lantern, Chinese Lantern, Sky Lantern, Wish Lantern, or other similar device made of paper or other material with an opening at the bottom under which an open flame is suspended that, when lit, causes the lantern to rise and float in the air.
- m. **Listed** means included in a list published by a certified Organization accredited by the Standards Council of Canada, such as Underwriters Laboratories of Canada (ULC) and the Canadian Standards Association (CSA), indicating conformance with applicable safety standards.
- n. **Nuisance** means an act or condition that causes unreasonable discomfort to any Person, loss of enjoyment or normal use of property, damage to property, or an Adverse Effect, and includes smoke, odour, ash, and embers from an Open-air Fire that enter onto or affect a neighbouring property.
- o. **Open-air Fire** means a fire that is not contained or enclosed by a building including, but not limited to a bonfire, fire pit, burn barrel, and outdoor Fireplace, but does not include a gas-fired appliance regulated by the Technical Standards and Safety Act, s.o. 2000, c. 16, as amended.
- p. **Outdoor Fireplace** means a manufactured wood-burning appliance, masonry fireplace, chimenea, ceramic or clay fire pot, clay or metal fireplace, portable wood-burning device used for outdoor recreation or heating, or other enclosed container that is used outdoors and designed to hold a small fire, but does not include a gas-fired appliance regulated by the Technical Standards and Safety Act, S.O. 2000, c. 10, as amended.
- q. **Person** includes a person, a corporation, a partnership, and a limited partnership.
- r. **Prohibited Materials** means:
 - i. garbage, trash, and residential, commercial, or industrial waste;
 - ii. construction or demolition waste materials including asphalt products, shingles, metals, electrical wiring, and fiberglass;
 - iii. hazardous substances including chemicals, pesticides, flammable liquids, batteries, used oil, paints, solvents, tires, and rubber materials;
 - iv. plastic materials including, but not limited to nylon, PVC or ABS plastics, polystyrene, urethane foam, synthetic fabrics, plastic films, and plastic containers;
 - v. furniture, appliances and upholstered items;
 - vi. treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives;
 - vii. leaves, unless attached to wood waste, and grass clippings;
 - viii. animal fecal deposits, manure, and animal carcasses; and
 - ix. paper and cardboard, except for reasonable minimal amounts used solely for the purpose of starting an Open-air Fire.
- s. **Rural Fire Permit** means a permit issued by the Fire Chief, subject to compliance with the provisions of this By-law, to set and maintain an Open-air Fire from time to time for the purpose of disposing of clean wood waste materials and/or recreational purposes in areas other than an in Urban Area.

BY-LAW 2021-?? OPEN-AIR FIRES

- t. **Sensitive Receptor** means a place where exposure to smoke may pose a greater risk to the health of an individual or group, or to the environment, including, but not limited to schools, child care facilities, health care facilities, retirement homes, long-term care facilities, and residences of Persons with a health condition aggravated by smoke or an increased sensitivity to air pollution or environmental contaminants.
- u. **Township** means the Corporation of the Township of West Lincoln
- v. **Urban Area** means lands located within an Urban Area Boundary as set out in the Township of West Lincoln's Comprehensive Zoning By-law.
- w. **Urban Fire Permit** means a permit issued by the Fire Chief, subject to compliance with the provisions of this By-law, to set and maintain an Open-air Fire from time to time in an Urban Area for recreational purposes.
- x. **Wood waste** means tree trunks, stumps, branches and limbs, brush, natural vegetation, logs, and wood products that do not include or contain creosote, chromated copper arsenate, ammoniacal copper arsenate, pentachlorophenol, pesticides, paint, plywood or composite wood products containing varnish or glue.

APPLICABILITY

- 2. The provisions of this By-law apply to all lands and property within the corporate limits of the Township of West Lincoln.

EXEMPTION FOR FIRE DEPARTMENT TRAINING

- 3. Open-air Fires that are set for training purposes by the Fire Department of the Township shall be exempt from the provisions of this By-law.

EXEMPTION FOR GAS-FIRED APPLIANCES

- 4. The outdoor use of a gas-fired appliance shall be exempt from the provisions of this By-law on the condition that the appliance is:
 - a. Listed and meets the requirements of the Technical Standards and Safety Act S.O. 2000, c. 16, as amended; and
 - b. Intended for outdoor use, and has been assembled and installed and is used in accordance with the manufacturer's instructions.

EXEMPTION FOR COOKING FOOD

- 5. Open-air Fires that are set or maintained for the purpose of cooking food shall be exempt from the provisions of this By-law on the condition that:
 - a. The fire shall be contained entirely within a fixed or portable barbecue intended for cooking food, or within a metal or masonry enclosure with a metal grill or screen on top;
 - b. The size of the fire is reasonable for the quantity of food being cooked;
 - c. No solid fuel other than commercially produced charcoal, briquettes or clean, dry, seasoned wood shall be used; and
 - d. The fire is supervised at all times by a competent person.

OPEN-AIR FIRE PERMITS

BY-LAW 2021-?? OPEN-AIR FIRES

6. Unless otherwise subject to a specific exemption in this bylaw, the setting or maintaining of any Open-air Fire within the geographical limits of the Township is prohibited without first obtaining an Open-air Fire Permit issued by the Fire Chief.
7. A permit for an Open-air Fire shall:
 - a. Be in a form as approved by the Fire Chief;
 - b. Bear the signature of the applicant acknowledging his or her agreement to comply with all conditions and provisions of this By-law;
 - c. Be valid only for the location(s) specified in the permit; and
 - d. Be valid only in the calendar year for which it is issued.
8. A permit may be issued to a Person upon application and payment of the fee set out in Schedule "F" attached hereto and forming part of this By-law, as may be amended from time to time and on the condition of compliance with all provisions of this By-law.
9. Every applicant for a permit shall have permission of the legal owner of the property consenting to the use of the lands for the purpose of setting or maintaining an Open-air Fire, and the Fire Chief may demand proof in writing of such permission from the property owner for any Open-air Fire Permit.
10. The Fire Chief may deny or withhold a permit for any Person who, in the opinion of the Fire Chief, is not able to meet the requirements of this By-law, or has previously failed to comply with any provision of this By-law.
11. Every issued permit may be subject to verification of compliance with the provisions of this By-law by the Fire Chief at any reasonable time, and the Fire Chief may revoke a permit for any Person who, in the opinion of the Fire Chief, is not able to or has failed to meet the requirements of this By-law.
12. Any fee paid for a permit in accordance with this By-law shall not be refundable where the permit is not approved by the Fire Chief, or where an issued permit is revoked under the provisions of this By-law, or where an issued permit is suspended due to a ban on Open-air Fires declared by the Fire Chief.
13. Any Person who is supervising an Open-air Fire under the authority of a permit issued under this By-law shall produce a copy of the permit for inspection upon demand by any Person authorized to enforce this By-law.

FARM FIRE PERMIT PROVISIONS

14. The Fire Chief may issue a Farm Fire Permit to a Farmer to set or maintain an Open-air Fire on lands zoned for agricultural use from time to time for the purpose of disposing of clean wood waste materials incidental to and consistent with normal farm practice.
15. Every Person who sets or maintains an Open-air Fire under the authority of a Farm Fire Permit shall comply with the regulations set out in Schedule "A" attached hereto and forming part of this By-law.

URBAN FIRE PERMIT PROVISIONS

16. The Fire Chief may issue an Urban Fire Permit to set or maintain an Open-air Fire from time to time for recreational purposes within an Urban Area.

BY-LAW 2021-?? OPEN-AIR FIRES

17. Every Person who sets or maintains an Open-air Fire under the authority of an Urban Fire Permit shall comply with the regulations set out in Schedule "B" attached hereto and forming part of this By-law.

RURAL FIRE PERMIT PROVISIONS

18. The Fire Chief may issue a Rural Fire Permit to set or maintain an Open-air Fire from time to time for recreational purposes and for the purpose of disposing of clean wood waste materials in an area other than an Urban Area.
19. Every Person who sets or maintains an Open-air Fire under the authority of a Rural Fire Permit shall comply with the regulations set out in Schedule "C" attached hereto and forming part of this By-law.

CAMPGROUND/TRAILER CAMP FIRE PERMIT PROVISIONS

20. The Fire Chief may issue a Campground /Trailer Park Fire Permit to set or maintain Open-air Fires at a campground from time to time for recreational purposes.
21. Every Person who sets or maintains an Open-air Fire under the authority of a Campground Fire Permit shall comply with the regulations set out in Schedule "D" attached hereto and forming part of this-By-law.

SPECIFIC EVENT OPEN-AIR FIRE PERMIT

22. A not-for-profit community organization, school, or religious institution may apply in writing to the Fire Chief for a permit to conduct an Open-air Fire in an Outdoor Fireplace for a specific cultural, religious, or recreational event.
23. The Fire Chief may issue, without charge, a Specific Event Open-air Fire Permit subject to compliance with this By-law, and any additional conditions imposed by the Fire Chief.
24. A site inspection of the property site of the Open-air Fire for a specific event may be required by the Fire Chief prior to issuing the permit.
25. A Specific Event Open-air Fire Permit shall be valid only for the day or days of the event.
26. Despite Section 25, the Fire Chief may issue an Open-air Fire Permit that is valid for up to one calendar year to a community organization or institution set to and maintain an Open-air Fire at the same location on more than one occasion.

PROVISIONS FOR OTHER FLAMING DEVICES

27. A Person may, without an Open-air Fire Permit, set or maintain Open-air Fires which are supervised at all times by a competent person that are:
 - a. Within containers designed to hold individual gel fuel pots, provided that any gel fuel pot capacity does not exceed 473 millilitres; or
 - b. Tiki torches with a fuel capacity of not more than 355 millilitres; or
 - c. Candles.

BY-LAW 2021-?? OPEN-AIR FIRES

SENSITIVE RECEPTOR REGISTRY

28. The Fire Chief shall keep a registry of Sensitive Receptor locations.
29. Any facility at which exposure to smoke, air pollution, or environmental contaminants would pose a greater risk to the health of the occupants, including, but not limited to schools, childcare facilities, health care facilities, retirement homes, and long-term care facilities, may register the applicable location on the Sensitive Receptor Registry.
30. Any individual with a health condition aggravated by smoke, or with an increased sensitivity to air pollution or environmental contaminants, may register the location of their residence on the Sensitive Receptor Registry by providing a report from a physician licenced to practice in the Province of Ontario, or a notarized affidavit from the resident, to the Fire Chief attesting to the presence of a health condition that is aggravated by smoke, or to an increased sensitivity to air pollution or environmental contaminants.
31. Personal health information provided to the Fire Chief pursuant to Section 30 shall not be disclosed without the knowledgeable consent of the affected individual, and all such disclosed information shall be protected in accordance with the Personal Health Information Protection Act, 2004, S.O.2004, G. 3, Sched. A.
32. There shall be no fee for registering a location on the Sensitive Receptor Registry.
33. An Urban Fire Permit or a Rural Fire Permit shall not be issued for any property within 75 metres of a location registered on the Sensitive Receptor Registry.
34. All Urban Fire Permits and Rural Fire Permits that have already been issued for properties within 75 metres of a location that is subsequently listed on the Sensitive Receptor Registry shall be revoked and deemed to be null and void.
35. Any fees paid for Open-air Fire Permits that are revoked due to the Subsequent registration of a nearby property on the Sensitive Receptor Registry shall be refunded in full.
36. Any location listed on the Sensitive Receptor Registry shall be required to renew its registration from time to time as determined by the Fire Chief.
37. The Fire Chief shall remove from the Sensitive Receptor Registry any location that is no longer deemed to be a sensitive Receptor.

BAN ON OPEN-AIR FIRES

38. The Fire Chief may declare a ban on all Open-air Fires whenever, in the opinion of the Fire Chief, a lack of precipitation or other condition within the Township increases the risk of the spread of fire or would otherwise endanger the health and safety of any Person or the quality of the natural environment.
39. A ban on Open-air Fires declared by the Fire Chief shall cause all issued Open-air Fire Permits to be suspended while the fire ban is in effect.
40. The Fire Chief shall cause notice to be posted on the Township website to communicate the declaration and revocation of any ban on Open-air Fires.

BY-LAW 2021-?? OPEN-AIR FIRES

GENERAL PROHIBITIONS

41. No Person shall set or maintain, or cause or permit to set or maintain, a fire in contravention of the Fire Protection and Prevention Act, 1997.
42. No Person shall set or maintain an Open-air Fire without first obtaining an Open-air Fire Permit issued by the Fire Chief.
43. No Person being the owner of lands or property shall allow an Open-air Fire to be set or maintained on such lands or property unless an Open-air Fire Permit has been issued by the Fire Chief.
44. No Person shall set or maintain, or allow to be set or maintained on a property owned by the Person, an Open-air Fire:
 - a. On any highway, road allowance, or public property;
 - b. That is not confined to a Fire Pit or Outdoor Fireplace, including an unconfined grass fire;
 - c. That causes smoke to travel across a public road or highway;
 - d. That causes smoke, odour, ashes, or embers to invade a neighbouring property thereby creating a Nuisance;
 - e. When the wind velocity is 20 kilometres per hour or greater;
 - f. That spreads beyond the Fire Pit or Outdoor Fireplace that confines it;
 - g. During rainy or foggy weather, or when a smog alert or an air quality advisory has been issued by an appropriate provincial or federal agency;
 - h. Without a Competent Person being continuously in attendance at the fire site to supervise the Open-air Fire during the entire time it is burning to control the fire and prevent its unwanted spread, and to summon the fire department in case of emergency;
 - i. Without having adequate means on hand and ready for immediate use to control and extinguish the fire at the fire site;
 - j. Without ensuring the fire is completely extinguished before leaving the site where the fire was burning;
 - k. At a time other than allowed by the Open-air Fire Permit regulations as set out in this By-law;
 - l. Of a greater size than allowed by the Open-air Fire Permit regulations as set out in this By-law;
 - m. Without maintaining the minimum distance from the Open-air Fire to an adjacent property or roadway in accordance with the Open-air Fire Permit regulations as set out in this By-law;
 - n. Without maintaining the minimum distance from the Open-air Fire to a building, structure, fence, overhead wire, railway, or combustible material in accordance with the Open-air Fire Permit regulations as set out in this By-law;
 - o. During a ban on Open-air Fires declared by the Fire Chief;
 - p. That contains or involves prohibited Materials; or
 - q. Within 75 metres of a location listed on the Sensitive Receptor Registry.

CONSENT OF REGISTERED OWNER

45. No Person shall set or maintain an Open-air Fire on any property unless:
 - a. The Person setting or maintaining the fire is the registered owner of the property on which the fire is set;
 - b. The registered owner of the property, or an authorized designate, is present at the site of the fire until the fire is fully extinguished; or

BY-LAW 2021-?? OPEN-AIR FIRES

- c. The Person setting or maintaining the fire has the express consent of the registered owner of the property to the setting of an Open-air Fire on the property.

FLYING LANTERNS PROHIBITED

46. No Person shall ignite a Flying Lantern, or release an ignited Flying Lantern into the air within, or that flies over, the geographical boundaries of the Township.

ADMINISTRATION

47. The Fire Chief shall be responsible for the administration and enforcement of this By-law and is hereby authorized to issue permits to set and maintain Open-air Fires in accordance with the provisions of this By-law.

ENFORCEMENT

48. The following persons shall be authorized to enforce this By-law:
 - a. The Fire Chief, and every member of the fire department designated as an Assistant to the Fire Marshal under the provisions of the Fire Protection and Prevention Act, S.O. 1997, c.4;
 - b. A police officer, and every person appointed under the police Services Act R.S.O. 1990, c. p.15, to enforce By-laws of the Township;
 - c. A Municipal By-law Enforcement Officer appointed by Council.

ADMINISTRATIVE PENALTY

49. Every Person who contravenes a provision of the By-law shall, when given a Penalty Notice, be liable to pay an Administrative Monetary Penalty to the Township in accordance with the provisions of Section 434.1 of the Municipal Act, 2001.
50. Schedule "E" attached hereto and forming part of this By-law hereby sets out the provisions that are designated as infractions of this By-law, the short form wording to be used in a Penalty Notice for an infraction of this By-law, and the Administrative Monetary Penalty amounts imposed for infractions of this By-law.
51. The administration of the Administrative Monetary Penalty provisions of this By-law, including review of Penalty Notices, shall be governed by the Administrative Monetary Penalty (AMPS) By-law of the Township as may be amended from time to time.

PENALTY NOTICE

52. The Fire Chief, or any other person authorized to enforce this By-law, who has reason to believe that a Person has contravened a provision of this By-law may issue a Penalty Notice to that Person.
53. A Penalty Notice shall include the following information:
 - a. The name of the Person who has contravened this By-law;
 - b. The Penalty Notice date;
 - c. A number that is unique to the penalty Notice;
 - d. The short form wording listed in Schedule "E" which describes the contravention;
 - e. The amount of the Administrative Monetary Penalty;

BY-LAW 2021-?? OPEN-AIR FIRES

- f. Such information as the Director determines is appropriate respecting the process by which the Person may exercise their right to request a review of the Administrative Monetary Penalty; and
- g. A statement advising that an Administrative Monetary Penalty, including any administrative fee, will, unless cancelled or reduced pursuant to a review, constitute a debt of the Person to the Township.

SERVICE OF NOTICE

- 54. Service of a Penalty Notice may be given in any of the following ways, and be effective:
 - a. By delivering it personally to the Person who has contravened the By-law at the time of the contravention;
 - b. By delivering a copy to the person's last known address, effective as of the time of delivery;
 - c. By mailing a copy to the Person's last known address, effective on the fifth day after a copy is sent by registered mail or by regular letter mail to the last known address;
 - d. By sending a copy by facsimile transmission to the Person's last known facsimile number, effective upon the conclusion of the facsimile transmission; or
 - e. By sending a copy by e-mail transmission to the Person's last known email address, effective upon sending the e-mail.
- 55. For the purposes of Section 55, a Person's last known address, facsimile number, and e-mail address may include an address, facsimile number and email provided by the Person to the Township as may be required by a form, practice or policy developed under this By-law.

INSPECTION

- 56. The Fire Chief, or any other person authorized to enforce the provisions of this By-law, shall be permitted to enter upon lands and property at any reasonable time to inspect any location or place for which an application for a permit has been made, or for which a permit has been issued.

ORDER TO EXTINGUISH

- 57. The Fire Chief, Fire Department Officer in charge of a response to investigate a complaint in respect of an Open-air Fire, or other person authorized to enforce this By-law may issue an Order to Extinguish a fire to any person who sets or maintains an Open-air Fire in contravention of this By-law.
- 58. Any Person who sets or maintains an Open-air Fire shall immediately extinguish such fire upon receipt of a verbal or written Order to Extinguish duly issued by the Fire Chief, Fire Department Officer in charge, or other person authorized to enforce this By-law.
- 59. No Person shall fail to comply with an Order to Extinguish a fire as duly issued, confirmed, or modified under this By-law.
- 60. Where a Person who has set or is maintaining an Open-air Fire fails to, or is unable to, comply with an Order to Extinguish the fire, the Township, in addition to other remedies:

BY-LAW 2021-?? OPEN-AIR FIRES

- a. May take all reasonable actions to extinguish the fire and, for this purpose, with its servants and agents from time to time, enter in and upon the property at any reasonable time without a warrant;
- b. May summon whatever personnel, vehicles, apparatus, and equipment necessary to extinguish a fire; and
- c. Shall not be liable to compensate any owner, occupant, or another Person having interest in the property by reason of anything done by or on behalf of the Township in a reasonable exercise of its power under the provisions of this Section.

FALSE AND FRIVOLOUS COMPLAINTS

61. No Person shall make a complaint about an Open-air Fire that is false, frivolous or vexatious in nature.
62. Any Person who falsely reports a violation of this By-law shall, when given a Penalty Notice upon the second and any subsequent false reports within a 12-month period, be liable to pay an Administrative Monetary Penalty to the Township as set out in Schedule "E".
63. Any Person who falsely reports a violation of this By-law shall, upon the second and any subsequent false reports within a 12-month period, be liable for any and all costs incurred by the Fire Department to respond to the complaint as set out in Schedule "F".

LIABILITY AND RECOVERY OF COSTS

64. Any Person who sets or maintains an Open-air Fire which contravenes any provision of this By-law, and any owner of the lands or property on which such an Open-air Fire is set or maintained, shall be jointly and severally liable for any damage to property and/or injury to persons caused by the fire.
65. Any Person who sets or maintains an Open-air Fire that contravenes any provision of this By-law, and any owner of the lands or property on which such a fire is set or maintained, shall be jointly and severally liable to the Township for:
 - a. All applicable fines as prescribed in Schedule "E"; and
 - b. All applicable fees as prescribed in Schedule "F"; and
 - c. All costs incurred by the Township to extinguish the fire, including supplies, mutual aid or other agreement fees, specialized equipment or contractors, or other associated incidental expenses.
66. The quantity and type of fire apparatus necessary to respond for the purposes of extinguishing, controlling, or investigating any Open-air Fire shall be at the discretion of the Fire Chief.
67. Nothing in the Schedule of Fees, Schedule "F" prescribed in this By-law shall be construed as limiting the rights of the Township to seek restitution for other direct or consequential damages or costs incurred beyond those listed.
68. The Township shall not be required to notify the owner of lands or property in advance of its intention to charge for services or costs associated with the extinguishment of any Open-air Fire.
69. All fees and charges payable under this By-law are due and owing to the Township within thirty (30) days after the mailing or delivery of the invoice, fees or charges

BY-LAW 2021-?? OPEN-AIR FIRES

not paid by the due date shall bear interest thereon at the prescribed rate, calculated monthly from the due date until paid in full.

70. All fees and charges payable under this By-law constitute a debt to the Township which may be added to the collector's property roll under the name of the owner of the lands upon which the fire was set or maintained, and the amount owing may be collected in a like manner as municipal taxes.

APPEAL OF FEES OR CHARGES

71. An appeal mechanism if charged under the Administrative Monetary Penalties is in place to allow individuals who have been assessed fees or charges under the open-air fire by-law, to appeal those fees or charges

RIGHT TO CIVIL ACTION

72. Nothing in this By-law affects or shall be held to limit or interfere with the right of any Person to bring and maintain a civil action for damages occasioned by fire, or the smoke, odours, embers, or ash therefrom.

INDEMNIFICATION

73. The applicant for a permit as required under this By-law shall indemnify and save harmless the Township from any and all claims, demands, causes of action, losses, costs or damages that the Township may suffer, incur or be liable for resulting from the performance of the applicant as set out in this By-law, whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

SEVERABILITY

74. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law, that each and every other provision of this authorized By-law, be applied and enforced in accordance with its terms to the extent possible according to law.

SHORT TITLE

75. This By-law may be referred to as the Open-air Fire By-law.

EFFECTIVE DATE

76. This Bylaw shall come into full force and effect on _____

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
28th DAY OF JUNE, 2021.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
Schedule "A"
to
BY-LAW NO. _____
BEING A BY-LAW TO PROHIBIT AND REGULATE THE SETTING OF
OPEN-AIR FIRES WITHIN THE TOWNSHIP OF WEST LINCOLN
FARM FIRE PERMIT REGULATIONS

- A.1. Every Person who sets or maintains an Open-air Fire under the authority of a Farm Fire Permit shall:
- a) Restrict the time the Open-air Fire is set or maintained to between sunrise and sunset on any day;
 - b) Maintain a perimeter around the Open-air Fire of at least 5 metres which is clear of combustible material such as dry ground cover or vegetation;
 - c) Confine the fire to a single Fire Pit or pile that does not exceed 6 metres in diameter and the material being burned does not exceed 2 metres in height, unless specifically approved by the Fire Chief under application of a written Burning Safety plan;
 - d) Maintain a distance of not less than 60 metres from the Open-air Fire to any building, structure, fence, property line, roadway, railway, overhead wire, or combustible material; and
 - e) Comply with all provisions, conditions, and prohibitions prescribed by the By-law.
- A.2. The Fire Chief may approve an exemption from one or more provisions prescribed for an Open-air Fire for farming purposes where, in his or her opinion, such exemption does not unreasonably pose an increased threat to health or safety.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
Schedule "B"
to
BY-LAW NO. _____
BEING A BY-LAW TO PROHIBIT AND REGULATE THE SETTING OF
OPEN-AIR FIRES WITHIN THE TOWNSHIP OF WEST LINCOLN
URBAN FIRE PERMIT REGULATIONS

- B.1. An Urban Fire Permit shall not be valid for any property with a lot size that is less than 12 metres in width.
- B.2. Every Person who sets or maintains an Open-air Fire under the authority of an Urban Fire Permit shall:
- a) Confine the fire to a Fire Pit or outdoor Fireplace of no greater than 61 centimetres in diameter, and where the material being burned is no greater than 61 centimetres in height;
 - b) Restrict the time the Open-air Fire is set or maintained to between the hours of Noon to 12am. on any day;
 - c) Maintain a distance of not less than 6 metres from the Open-air Fire to any roadway;
 - d) Maintain a distance of not less than 5 metres from the Open-air Fire to any property line, building, structure, fence, overhead wire, or combustible material;
 - e) Not set or maintain an Open-air Fire on a combustible surface or deck, or on or near dry grass or vegetation; and
 - f) Comply with all provisions, conditions, and prohibitions prescribed by the By-law.

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
Schedule "C"
to**

**BY-LAW NO. _____
BEING A BY-LAW TO PROHIBIT AND REGULATE THE SETTING OF
OPEN-AIR FIRES WITHIN THE TOWNSHIP OF WEST LINCOLN
RURAL FIRE PERMIT REGULATIONS**

- C.1. Every Person who sets or maintains an Open-air Fire under the authority of a Rural Fire Permit shall:
- a) Not set or maintain an Open-air Fire in an Urban Area;
 - b) Restrict the time the Open-air Fire is set or maintained to between the hours of 8 a.m. and 12:00 a.m. on any day;
 - c) Confine the fire to a Fire Pit or outdoor Fireplace of no greater than 1 metre in diameter and where the material being burned is no greater than 1 metre in height;
 - d) Maintain a distance of not less than 10 metres from the Open-air Fire to any building, structure, fence, overhead wire, combustible material, adjacent property, roadway, or railway; and
 - e) Comply with all provisions, conditions, and prohibitions prescribed by the By-law.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
Schedule "D"
to
BY-LAW NO. _____
BEING A BY-LAW TO PROHIBIT AND REGULATE THE SETTING OF
OPEN-AIR FIRES WITHIN THE TOWNSHIP OF WEST LINCOLN
CAMPGROUND /TRAILER PARK FIRE PERMIT REGULATIONS

- D.1. A Burning safety Plan shall be submitted with every campground Fire Permit application, and shall be approved by the Fire Chief.
- D.2. Every Person in a campground who sets or maintains an Open-air Fire under the authority of a Campground Fire permit shall:
- a) Confine each fire to a Fire Pit or Outdoor Fireplace;
 - b) Maintain a distance of not less than 3 metres from each fire to any building, structure, fence, or combustible material; and
 - c) Restrict the time the Open-air Fire is set or maintained to between the hours of 8 a.m. and 12:00 a.m. on any day
 - d) Comply with all provisions, conditions, and prohibitions prescribed by the By-law.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
Schedule "E"
to
BY-LAW NO. _____
BEING A BY-LAW TO PROHIBIT AND REGULATE THE SETTING OF
OPEN-AIR FIRES WITHIN THE TOWNSHIP OF WEST LINCOLN
SCHEDULE OF ADMINISTRATIVE MONETARY PENALTIES

- E.1. For the purposes of Section 51 of this By-law, column 1 in the following table lists the provisions that are hereby designated as infractions of this By-law for the purposes of Section 434.1 of the Municipal Act, 2001, S.O. 2001, c.25, as amended.
- E.2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- E.3. Column 3 in the following table sets out the Administrative Monetary Penalty amounts that are payable for contraventions of the Designated provisions listed in Column 1.

ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
1	Section 42	Set or maintain an Open-air Fire without permit	\$300
2	Section 43	Owner of property allow an Open-air Fire without permit	\$300
3	Section 44 (a)	Set, maintain or allow a fire on a highway, road allowance, or public property.	\$300
4	Section 44 (b)	Set, maintain or allow a fire that is not confined to a Fire Pit or Outdoor Fireplace, including an unconfined grass fire.	\$300
5	Section 44 (c)	Set, maintain or allow a fire that causes smoke to travel across a public road or highway.	\$300
6	Section 44 (d)	Set, maintain or allow a fire where smoke, odour, ashes or embers invade neighbouring property creating a Nuisance.	\$300
7	Section 44 (f)	Set, maintain or allow a fire that spreads beyond a	\$300

BY-LAW 2021-?? OPEN-AIR FIRES

		Fire Pit or Outdoor Fireplace.	
8	Section 44 (g)	Set, maintain or allow a fire during rainy or foggy weather, smog alert, or air quality advisory.	\$300
9	Section 44 (h)	Fail to supervise a fire by a competent person 18 years of age or older.	\$300
10	Section 44 (j)	Fail to ensure a fire is extinguished before leaving the site.	\$300
11	Section 44 (k)	Set, Maintain or allow a fire at a time other than allowed by regulation.	\$300
12	Section 44 (l)	Set, maintain or allow a fire of greater size than allowed by regulation.	\$300
13	Section 44 (m)	Fail to maintain minimum distance from a fire to an adjacent property or roadway.	\$300
14	Section 44 (n)	Fail to maintain minimum distance required by regulation from a fire to a building, structure.	\$300
15	Section 44 (o)	Set, Maintain or allow a fire during a fire ban.	\$500
16	Section 44 (p)	Set, maintain or allow a fire involving prohibited materials.	\$500
17	Section 44 (q)	Set, maintain or allow a fire within 75 metres of a Sensitive Receptor location.	\$500
18	Section 46	Ignite or release an ignited flying lantern	\$500
19	Section 62	Make a false Open-air Fire complaint.	\$300

Note: The general penalty provision for the offences listed above is Section 42, 43, 44, 46 and Section 62.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
Schedule "F"
to
BY-LAW NO. _____
BEING A BY.LAW TO PROHIBIT AND REGULATE THE SETTING OF
OPEN-AIR FIRES WITHIN THE TOWNSHIP OF WEST LINCOLN
SCHEDULE OF FEES AND CHARGES

F.1. Any fee or charge prescribed herein shall be subject to amendment from time to time by the applicable Fees and charges By-law of the Township

PERMIT FEES

F.2.	Open-air Fire Permit Application Fee – Farm -	No Charge
F.3.	Open-air Fire Permit Application Fee – Urban -	\$35.00
F.4.	Open-air Fire Permit Application Fee – Rural -	\$35.00
F.5.	Open-air Fire Permit Application Fee – Campground -	\$35.00
F.6.	Open-air Fire Permit Application Fee - Specific Event -	No Charge

COST RECOVERY FEES AND CHARGES

F.7.	Fee for fire department personnel, vehicles, apparatus, and equipment to respond to investigate and/or to extinguish an Open-air Fire.	\$750.00 per hour or part there of per vehicle (Minimum 1 hour)
F.8.	Recovery of costs incurred by the fire department to extinguish an Open-air Fire, including water usage, supplies, mutual aid or other reciprocal agreement fees, specialized equipment or contractors, or other incidental expenses associated with extinguishing the fire.	Actual disbursements plus 10% administrative charge
F.9	Fee for Fire Department personnel, vehicles, Apparatus, and equipment to respond to investigate a second or subsequent false or frivolous Open-air Fire complaint within a 12-month period.	\$750.00 per hour or part thereof per vehicle (Minimum 1 hour)

DATE: June 21, 2021
TO: Mayor Dave Bylsma and Members of Council
FROM: Councillor Shelley Bradaric
SUBJECT: Land Acknowledgement Statement for Council and
Standing Committee Meetings

The purpose of this memorandum is to present recommendation(s) to Members of the Committee for creating a Land Acknowledgement Statement to be included at the beginning of each Council and Standing Committee Meeting to be read by the Mayor or Committee Chair.

In 2015 The Truth and Reconciliation Commission of Canada (TRC) published a report which called for federal, provincial, territorial, and municipal governments to be leaders in providing education to public servants and members of the public on the history of Aboriginal peoples in the spirit of reconciliation. Since the release of the Truth and Reconciliation Commission report in 2015, many public institutions across Canada have made commitments to reconciliation based on a mutually respectful relationship with Aboriginal peoples. In the spirit of reconciliation, many municipal governments across Canada have adopted territorial acknowledgments to precede Council meetings and other gatherings. The TRC Report defines reconciliation as “an ongoing process of establishing and maintaining respectful relationships. A critical part of the process involves repairing damaged trust by making apologies, providing individual and collective reparations and following through with concrete actions that demonstrate real societal change”. Implementing the use of a Land Acknowledgement Statement represents a step in support of the reconciliation process with the purpose of the Land Acknowledgement statement recognizing the traditional territory of the Indigenous people who called the land home before the arrival of settlers, and in many cases, they still call it home today.

Staff's intention was to have a Land Acknowledgment Statement added to the Township's Procedural By-law, however, due to the importance and acknowledgement of this statement, staff recommend that the Land Acknowledgment Statement be approved at the June 21st, 2021 Administration/Finance/Fire Committee meeting in order for the statement to be included in each Council and Standing Committee Meeting commencing June 28th, 2021.

Staff have reviewed a number of resources after discussion with Wendy Sturgeon, Executive Director of the Niagara Chapter-Native Women Inc., and have created three Land Acknowledgement Statements for review and discussion. The three Land Acknowledgement Statements are outlined below:

1. We begin this gathering by acknowledging the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish with One Spoon Wampum agreement. Today this gathering place is home to many First Nations, Metis, and Inuit Peoples. Acknowledging this reminds us that our great standard of living is directly related to the resources and friendship of Indigenous people.

2. On behalf of the Members of Committee/Members of Council and staff, we wish to acknowledge this land on which the Township of West Lincoln operates. The land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples and is still home to many indigenous people today. We are grateful to have the opportunity to work here today and to follow the Haudenosaunee system of blending laws and values and the Anishinaabe beliefs to strive to live in harmony and balance throughout the Municipality. We acknowledge that we are all treaty people and accept our responsibility to honour all our relations.
3. We begin this meeting today by acknowledging that the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples. This territory is covered by the Upper Canada Treaties, is within the lands protected by the “Dish with One Spoon” wampum agreement.

Upon further discussion with Ms. Sturgeon, it was expressed that option two (2) of the statements listed above, deeply touches on the values and meaning of what is trying to be accomplished as this statement reflects not only our Mother Earth, but includes the essence and spirit (in general) of what early colonists and some settlers were unable to see, comprehend or understand about us, the Indigenous peoples and how we lived adhering to principles that guided us.

In light of the above, Staff are recommending the following resolution be adopted and that a Land Acknowledgement Statement be read as a standard greeting at the beginning of all Council and Standing Committee Meetings of Council as delivered by the Mayor and/or Committee Chair's until the amendment of the Township's Procedural By-Law is made to formally include the acknowledgement statement.

PROPOSED RESOLUTION:

That, the memorandum dated June 21, 2021 regarding “Land Acknowledgement Statement for Council and Standing Committee Meetings” be received; and,

That, Township Council authorize staff to adopt the practice of using a Land Acknowledgement Statement to be read as a standard greeting at the beginning of all Council and Standing Committee Meetings of Council, as delivered by the Mayor and/or Committee Chair's commencing with the June 28th, 2021 Council Meeting, until the amendment of the Township's Procedural By-Law is made to formally include the acknowledgement statement; and,

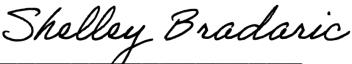
That, the Land Acknowledgement Statement read as follows:

On behalf of the Members of Committee/Members of Council and staff, we wish to acknowledge this land on which the Township of West Lincoln operates. The land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples and is still home to many indigenous people today. We are grateful to have the opportunity to work here today and to follow the Haudenosaunee system of blending laws and values and the Anishinaabe beliefs to strive to live in harmony and balance throughout the Municipality. We acknowledge that we are all treaty people and accept our responsibility to honour all our relations.

In addition to the Memorandum being submitted and prepared by those listed below, we thank Wendy Sturgeon, Executive Director of the Niagara Chapter-Native Women Inc., for providing guidance with the creation of these Land Acknowledgement Statements.


If you have any questions or concerns regarding the above, please do not hesitate to contact the undersigned.

Submitted by:




Shelley Bradaric,
Councillor

Prepared by:



Jessica Dyson,
Deputy Clerk



Joanne Scime,
Clerk

May 19, 2021

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way
Thorold ON L2V 4T7
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Attention: Ms. Norio,

Item 14.1 Motion re: Accessibility Issues for Seniors

Please be advised that at their regular meeting of May 17, 2021 Council of the Town of Pelham passed the following:

WHEREAS the Town of Pelham's Senior Advisory Committee regularly meets to discuss ongoing issues affecting seniors;

AND WHEREAS the Senior Advisory Committee has identified access to essential services, through electronic means only, as an accessibility issue for seniors and vulnerable populations;

AND WHEREAS the Town of Pelham is committed to working with its Seniors Advisory Committee to ensure all seniors and vulnerable populations have access to all essential services by means other than digital, as a duty to accommodate accessibility;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham requests the Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff support requesting the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario to review, and take action if necessary, whether the changes of digitizing essential services are barring seniors and vulnerable populations from accessing essential services, and to advocate for seniors and vulnerable populations and their rights to access essential services;

AND THAT Council for the Town of Pelham direct the Town Clerk to circulate and request the Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff endorse and support this resolution;

AND THAT Council for the Town of Pelham direct the Town Clerk to forward any and all received resolutions supporting this endeavour to the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario for his information.

If you require any further information, please contact the undersigned.

Yours very truly,



Holly Willford, BA
Acting Town Clerk

cc. Local Area Municipalities